



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 81<sup>st</sup> CONGRESS, SECOND SESSION

## SENATE

WEDNESDAY, MAY 17, 1950

(Legislative day of Wednesday, March 29, 1950)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

O God, in whose strong hands are the threads of every man's life; who under all the wild commotion dost still control the evil forces which seem to defeat Thy purpose and hinder Thy kingdom: Into Thy hands we would commit our lives, with all their powers and all their desires. We confess that our peace is often so ill-founded that we lose it easily and then rush to all sorts of subterfuges in order to recover it or make ourselves forget.

In this quiet moment may there come a revealing glimpse of reality, reminding us that there is no peace which is not the gift of Thy love. Grant us so to love Thee with all our hearts, with all our minds, with all our souls, and our neighbor for Thy sake, that the grace of charity and brotherly love may dwell in us, that sadness and despair may flee away, and all envy, harshness, and ill will be transmuted to kindness and understanding. We ask it in the Redeemer's name. Amen.

### THE JOURNAL

On request of Mr. HAYDEN, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, May 16, 1950, was dispensed with.

### MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States submitting a nomination was communicated to the Senate by Mr. Miller, one of his secretaries.

### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

- H. R. 1991. An act for the relief of Alexander Stewart;
- H. R. 2225. An act for the relief of William B. Buol;
- H. R. 2229. An act for the relief of John P. Hayes;
- H. R. 2535. An act for the relief of Samuel J. D. Marshall;
- H. R. 2766. An act for the relief of Maria Geertrude Mulders;

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H. R. 3007. An act for the relief of Harry C. Goakes;

H. R. 3535. An act for the relief of William A. Cross;

H. R. 3805. An act for the relief of Yuk Onn Won;

H. R. 4140. An act for the relief of the Great American Indemnity Co.;

H. R. 4364. An act for the relief of Mrs. Ruth B. Moore; John Robert Lusk III; John R. Lusk, Sr.; Mrs. Minnie P. Pruitt; and Mrs. Billie John Bickie;

H. R. 4370. An act for the relief of May Hosken;

H. R. 4803. An act for the relief of Bernard F. Elmers;

H. R. 4960. An act for the relief of Mrs. Elizabeth H. Whitney;

H. R. 5074. An act to promote the national defense by authorizing specifically certain functions of the National Advisory Committee for Aeronautics necessary to the effective prosecution of aeronautical research, and for other purposes;

H. R. 5221. An act for the relief of Mrs. Maria Grazia Riccio DiPietro;

H. R. 5252. An act for the relief of W. M. Tindal;

H. R. 5799. An act for the relief of the Acme Finance Co.;

H. R. 5947. An act for the relief of Alfio Batelli;

H. R. 6066. An act for the relief of Cheng Sick Yuen;

H. R. 6416. An act for the relief of Paul E. Rocke;

H. R. 6482. An act for the relief of Antonio Artolozaga Euscola;

H. R. 6644. An act for the relief of Edwin F. Rounds;

H. R. 7255. An act to provide for the conveyance of certain real property in Hopkins County, Ky., to the estate of James D. Meadors;

H. R. 7315. An act for the relief of Daijiro Yoshida;

H. R. 7564. An act for the relief of Maria Margareta Rles and Konrad Horst Wilhelm Rles;

H. R. 7966. An act to amend the act entitled "An act to incorporate the trustees of the Presbyterian congregation of Georgetown," approved March 28, 1806;

H. R. 7991. An act for the relief of D. C. Hall Motor Transportation;

H. R. 8287. An act to authorize the Secretary of the Interior to issue duplicate of William Gerard's script certificate No. 2, subdivision 13, to Lucy P. Crowell; and

H. R. 8290. An act for the relief of Jeffrey Bracken Spruill and Susan Spruill.

### LEAVES OF ABSENCE

On his own request, and by unanimous consent, Mr. THOMAS of Oklahoma was excused from attendance on the sessions of the Senate for an indefinite period.

On his own request, and by unanimous consent, Mr. TOBEY was excused from attendance on the sessions of the Senate during next week, because of official business.

Mr. LEHMAN, on his own request, and by unanimous consent, was excused from

attendance on the session of the Senate tomorrow.

### COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. KEFAUVER, the subcommittee of the Committee on the Judiciary considering bankruptcy reorganization was authorized to meet during the session of the Senate this afternoon.

### CALL OF THE ROLL

Mr. HAYDEN. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Alken	Hoey	Maybank
Benton	Holland	Mundt
Brewster	Humphrey	Myers
Bricker	Hunt	Neely
Bridges	Ives	O'Connor
Butler	Jenner	O'Mahoney
Byrd	Johnson, Colo.	Robertson
Cain	Johnson, Tex.	Russell
Capehart	Johnston, S. C.	Saltonstall
Chapman	Kefauver	Schoeppel
Connally	Kem	Smith, Maine
Cordon	Kerr	Smith, N. J.
Darby	Kilgore	Sparkman
Donnell	Knowland	Stennis
Douglas	Langer	Taft
Dworshak	Leahy	Taylor
Eastland	Lehman	Thomas, Okla.
Eaton	Lodge	Thomas, Utah
Ellender	Long	Thye
Ferguson	Lucas	Tobey
Fulbright	McCarran	Tydings
George	McCarthy	Watkins
Gillette	McClellan	Wherry
Green	McFarland	Wiley
Gurney	McKellar	Williams
Hayden	McMahon	Withers
Hendrickson	Malone	Young
Hill	Martin	

Mr. MYERS. I announce that the Senator from New Mexico [Mr. ANDERSON] is absent by leave of the Senate.

The Senator from New Mexico [Mr. CHAVEZ] and the Senator from Florida [Mr. PEPPER] are absent on public business.

The Senator from California [Mr. DOWNEY] and the Senator from North Carolina [Mr. GRAHAM] are absent because of illness.

The Senator from Delaware [Mr. FREAR] and the Senator from Washington [Mr. MAGNUSON] are absent by leave of the Senate on official business.

The Senator from Montana [Mr. MURRAY] is absent because of a death in his family.

Mr. SALTONSTALL. I announce that the Senator from Vermont [Mr. FLANDERS], the Senator from Iowa [Mr. HICKENLOOPER], the Senator from Colorado [Mr. MILLIKIN], the Senator from Oregon [Mr. MORSE], and the Senator from Michigan [Mr. VANDENBERG] are absent by leave of the Senate.

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The VICE PRESIDENT. A quorum is present.

#### TRANSACTION OF ROUTINE BUSINESS

Mr. LUCAS. Mr. President, I ask unanimous consent that Senators be permitted to present petitions and memorials, introduce bills and joint resolutions, and submit routine matters for the RECORD without debate and without speeches.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

#### CONTINUATION OF RENT CONTROL—RESOLUTION OF DULUTH-SUPERIOR (MINN.) RENT ADVISORY BOARD NO. 1

Mr. HUMPHREY. Mr. President, I present for appropriate reference and ask unanimous consent to have printed in the RECORD a resolution adopted by the Duluth-Superior (Minn.) Rent Advisory Board No. 1 on April 27, recommending the continuation of rent controls in the city of Duluth.

There being no objection, the resolution was referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

Whereas it is the considered opinion of this board that residential housing and particularly rental housing for families in the moderate- and small-income groups is in short supply in the city of Duluth, and that undue hardship will result if rent controls are lifted in this community after June 30, 1950, and that rentals demanded for present accommodations may be expected to rise exorbitantly if such controls are not maintained: Therefore, be it

*Resolved*, That this board recommends the continuation of rent controls for this community until such time as an adequate additional supply of housing accommodations shall become available; and be it further

*Resolved*, That a copy of this resolution be mailed to Tighe F. Woods, Housing Expediter; to our Representatives in Congress: The Honorable Edward J. Thye, United States Senator; the Honorable Hubert H. Humphrey, United States Senator, and the Honorable John A. Blatnik, Representative from the Eighth Minnesota Congressional District.

O. E. WESTIN, Chairman.

#### ECONOMY IN GOVERNMENT—RESOLUTION OF SOMERSET COUNTY (MD.) FARM BUREAU

Mr. O'CONOR. Mr. President, in line with the widespread demand among the citizens of my State of Maryland for greater economy in government and reduction of Federal expenditures, there is wholehearted approval of the recommendations made by the Hoover Commission following its exhaustive study of the various executive departments of the Government.

A resolution adopted by the Somerset County (Md.) Farm Bureau recently, and presented to me by Stanley F. Benson, president, voices the deep approval of the members of that public-spirited county farm bureau of the manner in which the chairman and members of the Hoover Commission have conducted this splendid study.

It places the members of the Somerset County Farm Bureau squarely behind the Commission and the citizens committee for the Hoover report in their support of the recommendations.

I ask unanimous consent to have the resolution printed in the RECORD, and appropriately referred.

There being no objection, the resolution was referred to the Committee on Expenditures in the Executive Departments, and ordered to be printed in the RECORD, as follows:

Whereas Congress clearly recognized the necessity for Government reorganization when it unanimously created the bipartisan Commission on Organization of the Executive Branch of the Government in July 1947; and

Whereas Chairman Herbert Hoover and the members of the Commission admirably and efficiently performed their duties of investigation and made specific recommendations concerning—

(1) The elimination of expenditures to the lowest amount consistent with the efficient performance. The elimination of duplications and overlappings, and the consolidation of services, activities, and functions of a similar nature.

(2) The elimination of services, activities, and functions unnecessary to efficient government.

(3) Definition and limitation of executive functions, services, and activities; and

Whereas there is a universal demand for such economy and efficiency in government by thoughtful, public-spirited men and women throughout the United States; and

Whereas the Commission's report promises lasting benefit to all citizens not only in terms of economy and efficiency but also in terms of the effective use of our resources, human and material, in the cause of world peace and progress; and

Whereas an educational program to acquaint the public with the findings of the Commission report and to stimulate the interest of all citizens in continuous participation in the affairs of government on a bipartisan, voluntary basis has been undertaken by the citizens committee for the Hoover report: Therefore be it

*Resolved*, That the Somerset County Farm Bureau, at its meeting on the 24th day of April 1950, urges the Congress to make effective the recommendations of the Commission by enacting appropriate legislation;

That cooperation be given to the educational program of the citizens committee for the Hoover report;

That copies of this resolution be sent to appropriate legislative representatives and to the Maryland Citizens Committee for the Hoover report, 636 Equitable Building, Baltimore 2, Md.

STANLEY F. BENSON,  
President, Somerset County Farm Bureau.

P. MORRIS FURNISS,  
Secretary, Somerset County Farm Bureau.

#### FLOOD DAMAGES IN WALSH AND GRAND FORKS COUNTIES, N. DAK.

Mr. LANGER. Mr. President, I present for appropriate reference, and ask unanimous consent to have printed in the RECORD, telegrams from the Boards of County Commissioners of Walsh and Grand Forks Counties, N. Dak., relating to flood damages in those counties.

There being no objection, the telegrams were referred to the Committee on Public Works, and ordered to be printed in the RECORD, as follows:

GRAFTON, N. DAK., May 16, 1950.

HON. WILLIAM LANGER,  
United States Senate:

A preliminary estimate of the flood damages in Walsh County has been completed, which is as follows: 48 bridges totally destroyed with a value of \$1,200,000; 122 miles

of road washed out with a value of \$275,000; 40 miles of gravel road has been lost with a value of \$80,000; damage to bridges not totally destroyed, \$675,000. The foregoing estimate includes loss to township and county roads and is only a preliminary survey as much of the eastern portion of Walsh County is still inundated from the second flood, which caused more damages than the preceding one. Although this estimate is incomplete at this time it will give the figures to present to your colleagues to help secure Federal aid for us. Thank you for your assistance.

BOARD OF WALSH COUNTY COMMISSIONERS.

GRAND FORKS, N. DAK., May 9, 1950.  
HON. WILLIAM LANGER,  
United States Senator,  
Washington, D. C.:

On motion by Commissioner McIntyre, seconded by Commissioner Block, the following resolution was adopted by the board:

#### "Resolution

"Whereas flash floods and recurring subsequent floods have sustained enormous damage to roads, bridges, and culverts; inundated several hundred thousand acres of fertile farm lands in the Red River Valley; and

"Whereas these disastrous circumstances are also reflected in grievous human suffering and untold loss of livestock, grain, and erosion of fertile topsoil, which at this time it is physically impossible to determine; and

"Whereas the loss to Grand Forks County alone to its roads and bridges will in all probabilities exceed the sum of \$1,500,000; and

"Whereas the counties and other political subdivisions are financially unable to rehabilitate themselves in the vast reconstruction program: Now, therefore, be it

*Resolved by the Board of County Commissioners of Grand Forks County, N. Dak.*, That financial assistance be requested to be made available by the Federal Government and that every effort be made by the Members of Congress to facilitate the passage of bills to make such appropriations available immediately."

Dated at Grand Forks, N. Dak., this 9th day of May 1950.

E. O. BRY,  
Chairman of Board of County Commissioners, Grand Forks County, N. Dak.

#### RESOLUTIONS OF DISTRICT COUNCIL NO. 2, OIL WORKERS INTERNATIONAL UNION, CIO, GREAT FALLS, MONT.

Mr. LANGER. Mr. President, I present for appropriate reference and ask unanimous consent to have printed in the RECORD three resolutions adopted by District Council, No. 2, Oil Workers International Union, CIO, in regular meeting at Great Falls, Mont., on April 16, 1950, relating to the importation of foreign oil in competition with American industry and labor; the practice of certain major oil companies operating in the United States to import large quantities of petroleum and petroleum products produced and refined in foreign countries, and voluntary arbitration between labor and management as a means of settling their disputes.

The VICE PRESIDENT. The resolutions will be received and appropriately referred, and, without objection, the resolutions will be printed in the RECORD. The Chair hears no objection.

To the Committee on Finance:

Whereas the major oil companies are importing foreign oil into this country which



is causing unemployment among American workers; and

Whereas this importation of foreign oil has reduced the income of farmers and ranchers who own the land and is undermining the economy in the oil-producing States; and

Whereas this loss of income, whether it be in taxes, wages, or royalties, is hurting all business in the localities affected; and

Whereas this unfair competition is aiding the major oil companies to build a monopoly as it forces the small producer, who cannot afford to operate in foreign countries, out of business: Therefore be it

*Resolved*, That District Council No. 2, Oil Workers International Union, CIO, in regular meeting at Great Falls, Mont., on this 16th day of April 1950, go on record in opposition to the importation of foreign oil in competition with American industry and American labor; and be it further

*Resolved*, That a copy of this resolution be sent to Congressmen and Senators representing all States in district No. 2, to the governors of these States, requesting that they use their influence in protecting American industry and American labor in this matter; and be it further

*Resolved*, That a copy of this resolution be sent to the secretaries of the other six districts of the union in the United States and to the president of the union, requesting their aid in reducing the imports of foreign oil.

Whereas it is the present practice of certain major oil companies operating in the United States of America to import large quantities of petroleum and petroleum products produced and refined in foreign countries; and

Whereas this importation has reached a daily volume far in excess of current domestic demand, resulting in curtailment of production within the United States of an average of 800,000 barrels daily, or 13 percent; and

Whereas employment and economic security of all employees of the independent refineries which are totally dependent upon stable domestic conditions surrounding the refining of crude oil produced within the United States has been sharply affected; and

Whereas the security of the United States is jeopardized by a national petroleum policy favoring increased imports of crude oil and curtailment of domestic production and refining of such petroleum: Now, therefore, be it

*Resolved*, That District 2 Council, Oil Workers International Union, CIO, declare ourselves opposed to the unlimited importation of foreign-produced petroleum and foreign-refined petroleum products into the United States of America, does not endorse any specific petroleum-importation legislation now pending before the Congress, and goes on record as demanding the passage of legislation which would limit such imports to a volume that would not supplant the domestic production and refining of crude oil beyond that point at which reserves of the United States are capable, under accepted conservation practices of supplying the domestic demand.

#### To the Committee on Labor and Public Welfare:

Whereas labor and management are making an ever wider use of voluntary arbitration as a means of settling their disputes; and

Whereas the present facilities for providing arbitration services are designed mainly to accommodate the larger industrial operations located near larger cities; and

Whereas the majority of our membership works in widely scattered areas which are not near any major cities and our average local union has less than 200 members; and

Whereas the costs of resorting to arbitration have become so excessive as to be be-

yond the reach of many of our local unions: Now, therefore, be it

*Resolved*, That we call upon the Federal Mediation and Conciliation Service and the American Arbitration Association to explore with us the possibilities of meeting these problems. Specifically, we ask that efforts be made to accomplish the following ends:

1. Present panel lists should be expanded so that suggested panel members can be drawn from a smaller geographical area near the scene of the dispute, unless the parties request they be drawn from a wider area.

2. The fees of arbitrators should be geared to the resources of the local union and management involved ranging from no fee, or a nominal fee, to a maximum of \$50 per day.

3. Arbitrators who make unreasonable expense charges should be dropped from panel lists, or at least from those future lists submitted to unions and companies who have complained of this fact.

4. A uniform code of ethics and rules of procedure should be adopted by the Service and the association and the adherence to such code and rules should be mandatory upon arbitrators unless mutually waived by the parties.

5. The possibilities of securing arbitration services financed by the Federal Government, just as mediation and conciliation services are now so paid, should be immediately examined.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. McCARRAN, from the Committee on the Judiciary:

S. 638. A bill to amend title 28, United States Code; with an amendment (Rept. No. 1568);

S. 819. A bill for the relief of Herman L. Weiner; with an amendment (Rept. No. 1569);

S. 846. A bill for the relief of Satirios Christos Roumanis; with amendments (Rept. No. 1570);

S. 848. A bill for the relief of Lorenzo Buira Sarrate; without amendment (Rept. No. 1571);

S. 920. A bill recording the lawful entry for permanent residence into the United States and authorizing the naturalization of Ellen Rodriguez Moreno; with amendments (Rept. No. 1572);

S. 1049. A bill for the relief of Amy Alexandrovna Taylor and Myrna Taylor; without amendment (Rept. No. 1573);

S. 1259. A bill for the relief of Mr. and Mrs. Lucilio Grassi; without amendment (Rept. No. 1574);

S. 1276. A bill for the relief of Marta Faugno; with an amendment (Rept. No. 1575);

S. 1347. A bill for the relief of Jose Da Silva; without amendment (Rept. No. 1576);

S. 1357. A bill for the relief of Gregory Pirro and Nellie Pirro; without amendment (Rept. No. 1577);

S. 1654. A bill for the relief of Kyra Kita Riddle; with an amendment (Rept. No. 1578);

S. 1792. A bill for the relief of Thomas Nicholas Epiphaniades and Wanda Julia Epiphaniades; without amendment (Rept. No. 1579);

S. 1816. A bill for the reimbursement of the S. A. Healy Co.; with amendments (Rept. No. 1580);

S. 1900. A bill for the relief of Mary Di Rezza; without amendment (Rept. No. 1581);

S. 1925. A bill for the relief of Pejsach Lederman and his wife and daughter; with amendments (Rept. No. 1582);

S. 1942. A bill for the relief of Isabel Alba Casas, Concepcion Garcia Perez, Maria del Carmen Fernandez Matesaenz, Maria Santos Zuniga, Felipe Casado del Blanco, Mercedes Rodriguez Villaneuva, Selina Milan Gonzalez, Teresa Duque Saenz, Martina Equiza Garces,

and Teresa Baztan Elizalde; without amendment (Rept. No. 1583);

S. 1963. A bill for the relief of Augusto Segre; without amendment (Rept. No. 1584);

S. 1981. A bill to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon certain claims for basic and overtime compensation; with an amendment (Rept. No. 1585);

S. 1996. A bill for the relief of Eugene Frohlinger; with an amendment (Rept. No. 1586);

S. 2035. A bill for the relief of John David Logan; with an amendment (Rept. No. 1587);

S. 2047. A bill for the relief of Marie C. Araujo, also known as Marie Concepcion de Brito; with an amendment (Rept. No. 1588);

S. 2092. A bill for the relief of Rosa Ottaviani; with amendments (Rept. No. 1589);

S. 2183. A bill for the relief of Nicholas J. Chicouras; with an amendment (Rept. No. 1590);

S. 2231. A bill for the relief of Marco Murolo, and his wife, Romana Pellis Murolo; without amendment (Rept. No. 1591);

S. 2242. A bill for the relief of John E. Dwyer; without amendment (Rept. No. 1592);

S. 2296. A bill for the relief of Maria Cicerelli; with an amendment (Rept. No. 1593);

S. 2297. A bill for the relief of the estate of Lee Jones Cardy; without amendment (Rept. No. 1594);

S. 2349. A bill for the relief of Ho Paak-Sui; without amendment (Rept. No. 1595);

S. 2442. A bill for the relief of Yone T. Park; with an amendment (Rept. No. 1596);

S. 2462. A bill for the relief of Ruzina Skalova; with an amendment (Rept. No. 1597);

S. 2492. A bill for the relief of Maria, Magdalena, Margit, and Martha Battha; without amendment (Rept. No. 1598);

S. 2499. A bill for the relief of Daijiro Yoshida; without amendment (Rept. No. 1599);

S. 2526. A bill for the relief of Vera Stein; without amendment (Rept. No. 1600);

S. 2565. A bill for the relief of Edward E. Duff; without amendment (Rept. No. 1601);

S. 2575. A bill for the relief of Yayoko Kobayashi and June Kobayashi, and for other purposes; without amendment (Rept. No. 1602);

S. 2620. A bill for the relief of Chyon Yong Yun; without amendment (Rept. No. 1603);

S. 2662. A bill for the relief of Evzen Syrovatka and his wife; without amendment (Rept. No. 1604);

S. 2676. A bill for the relief of Kimie Yamada Ina and her daughter, Ritsuko Ina; without amendment (Rept. No. 1605);

S. 2682. A bill for the relief of Naum Ionescu and his wife; without amendment (Rept. No. 1606);

S. 2723. A bill for the relief of Maria del Carmen Morano Elorza, Maria Luisa Luri Acin, Rafaela Garcia Casini, Giovanna Importa, and Teresa Compagnoni; with amendments (Rept. No. 1607);

S. 2735. A bill for the relief of Mrs. Vernon B. Rasmussen; with an amendment (Rept. No. 1608);

S. 2741. A bill for the relief of Stephania Ziegler, Anna Hagl, and Theresia Tuppingier; without amendment (Rept. No. 1609);

S. 2745. A bill for the relief of Marie De Champourcin; without amendment (Rept. No. 1610);

S. 2774. A bill to redefine the term "bank" as used in section 2113 of title 18 of the United States Code, dealing with bank robbery and incidental crimes, so as to include within the meaning of such term any savings and loan association, the accounts of which are insured by the Federal Savings and Loan Insurance Corporation; with an amendment (Rept. No. 1611);

S. 2866. A bill for the relief of Egbert G. Gesell; with amendments (Rept. No. 1612);

S. 2901. A bill to repeal the prohibition against the filling of a vacancy in the office

of district judge for the district of Delaware; with amendments (Rept. No. 1613);

S. 3007. A bill for the relief of Steganie Pfister and Hildegard Werber; with an amendment (Rept. No. 1614);

S. 3253. A bill for the relief of Lyon F. Hibberd and the estate of George T. Erb; without amendment (Rept. No. 1615);

H. R. 559. A bill for the relief of C. M. Smart; without amendment (Rept. No. 1616);

H. R. 714. A bill for the relief of Pieter Cornelis ten Wolde and family; with an amendment (Rept. No. 1617);

H. R. 1038. A bill for the relief of William Richard Geoffrey Malpas; with an amendment (Rept. No. 1618);

H. R. 1082. A bill conferring jurisdiction upon the United States District Court for the Southern District of New York to hear, determine, and render judgment upon any claim arising out of personal injuries sustained by the Bunker Hill Development Corp.; with amendments (Rept. No. 1619);

H. R. 1170. A bill for the relief of Mrs. John Kaudy (formerly Stella Cappler); without amendment (Rept. No. 1620);

H. R. 1272. A bill for the relief of Edward A. Seeley; without amendment (Rept. No. 1621);

H. R. 1275. A bill for the relief of Anna Helman; without amendment (Rept. No. 1622);

H. R. 1602. A bill for the relief of Ben Grunstein; without amendment (Rept. No. 1623);

H. R. 1817. A bill for the relief of Mrs. Rose A. Mongrain; with amendments (Rept. No. 1624);

H. R. 1866. A bill for the relief of Honorio Canciller and Nancy Ting Evangelista; without amendment (Rept. No. 1625);

H. R. 2224. A bill for the relief of the Winona Machine & Foundry Co., a corporation of Winona, Minn.; without amendment (Rept. No. 1626);

H. R. 2230. A bill to reimburse Arthur S. Horner, Leah B. Horner, and Maude Brewer, partners composing a firm, doing business as A. S. Horner Construction Co.; with an amendment (Rept. No. 1627);

H. R. 2705. A bill for the relief of Martin Kenneth Ikeda; with an amendment (Rept. No. 1628);

H. R. 2803. A bill for the relief of Albert J. Peterson; with an amendment (Rept. No. 1629);

H. R. 3009. A bill for the relief of Dr. Ali Reza Bassir; with an amendment (Rept. No. 1630);

H. R. 3254. A bill for the relief of Iva Gavlin; with an amendment (Rept. No. 1631);

H. R. 3436. A bill to amend section 3 of the Lucas Act with respect to redefinition of request for relief; with amendments (Rept. No. 1632);

H. R. 3996. A bill for the relief of Dr. J. Carlyle Nagle; without amendment (Rept. No. 1633);

H. R. 4015. A bill for the relief of Kate Laursen; without amendment (Rept. No. 1634);

H. R. 4532. A bill for the relief of Dr. Ta Fu Wu; with an amendment (Rept. No. 1635);

H. R. 4604. A bill to authorize the admission into the United States of certain aliens possessing special skills, namely, Tepdor Egle, Karlis Fogelis, Vasily Kils, and Aleksanders Zelmenis; without amendment (Rept. No. 1636);

H. R. 4653. A bill for the relief of the New York Quinine & Chemical Works, Inc.; Merck & Co., Inc.; and Mallinckrodt Chemical works; without amendment (Rept. No. 1637);

H. R. 4747. A bill for the relief of Louise Ahting; without amendment (Rept. No. 1638);

H. R. 4781. A bill for the relief of Veronica Jolly; without amendment (Rept. No. 1639);

H. R. 4996. A bill for the relief of Lonnie M. Abernathy; without amendment (Rept. No. 1640);

H. R. 5019. A bill for the relief of Fella H. Holbrook; with amendments (Rept. No. 1641);

H. R. 5126. A bill for the relief of Mrs. Nathalie E. Cobb; without amendment (Rept. No. 1642);

H. R. 5199. A bill for the relief of Mr. and Mrs. Thurman L. Bomar; without amendment (Rept. No. 1643);

H. R. 5682. A bill for the relief of William T. Orton; with amendments (Rept. No. 1644);

H. R. 5846. A bill for the relief of Mrs. Lillian Coolidge; with an amendment (Rept. No. 1645);

H. R. 6271. A bill for the relief of Mrs. Harry Schneider; without amendment (Rept. No. 1646);

H. R. 6329. A bill for the relief of Betsy Sullivan; without amendment (Rept. No. 1647);

H. R. 6344. A bill for the relief of Mrs. William Y. Imanaka; without amendment (Rept. No. 1648);

H. R. 6371. A bill for the relief of J. O. Evans; without amendment (Rept. No. 1649);

H. R. 6385. A bill for the relief of Louise M. Koch; without amendment (Rept. No. 1650);

H. R. 6414. A bill for the relief of Mrs. Chikako Mary Ohori Horl; without amendment (Rept. No. 1651);

H. R. 6480. A bill to revise title 18, United States Code, entitled "Crimes and Criminal Procedure"; with amendments (Rept. No. 1652);

H. R. 6577. A bill for the relief of Haruko Teramoto; without amendment (Rept. No. 1653);

H. R. 6689. A bill for the relief of Mitsuko Uemura; without amendment (Rept. No. 1654);

H. R. 6934. A bill for the relief of E. H. Corrigan; with an amendment (Rept. No. 1655);

H. R. 6991. A bill for the relief of E. G. Morris; without amendment (Rept. No. 1656);

H. R. 7092. A bill for the relief of Mrs. Karry Wakefield; without amendment (Rept. No. 1657);

H. R. 7094. A bill for the relief of Kazuyo Dohi; without amendment (Rept. No. 1658);

H. R. 7173. A bill for the relief of Toshiko Ono; without amendment (Rept. No. 1659);

H. R. 7560. A bill for the relief of Mary Frances Yoshinaga; without amendment (Rept. No. 1660); and

H. R. 7778. A bill for the relief of Miyoko Oishi; without amendment (Rept. No. 1661).

By Mr. WILEY, from the Committee on the Judiciary:

S. 648. A bill to amend title 18, United States Code, section 705, to protect the badge, medal, emblem, and other insignia of auxiliaries to veterans' organizations, and for other purposes; with an amendment (Rept. No. 1664);

H. R. 577. A bill to correct possible inequity in the case of a certain application for letters patent of William R. Blair; with an amendment (Rept. No. 1665); and

H. R. 7609. A bill to grant a renewal of patent No. 59,560, relating to the emblem of the Disabled American Veterans of the World War; without amendment (Rept. No. 1666).

By Mr. BYRD, from the Committee on Armed Services:

S. 2857. A bill to amend section 12 of the Missing Persons Act, as amended, relating to travel by dependents and transportation of household and personal effects; with amendments (Rept. No. 1667).

By Mr. O'MAHONEY, from the Committee on Interior and Insular Affairs:

H. R. 4509. A bill to amend the act of February 25, 1920 (41 Stat. 452), and for other purposes; without amendment (Rept. No. 1668).

# FEDERAL OLD-AGE AND SURVIVORS INSURANCE SYSTEM—REPORT OF FINANCE COMMITTEE

Mr. GEORGE. Mr. President, from the Committee on Finance, I report favorably, with an amendment in the nature of a substitute, the bill (H. R. 6000) to extend and improve the Federal old-age and survivors insurance system, to amend the public assistance and child-welfare provisions of the Social Security Act, and for other purposes. The report on the bill will not be ready before Tuesday of next week, and will contain supplemental views of the Senator from Illinois [Mr. LUCAS] and the Senator from Pennsylvania [Mr. MYERS], and minority views of the Senator from Nebraska [Mr. BUTLER]. By that date the report itself will be filed.

I merely make that statement for the information of the Senate.

The VICE PRESIDENT. The bill will be received and placed on the calendar.

(The report, when submitted, will be S. Rept. No. 1669.)

## SUSPENSION OF DEPORTATION OF CERTAIN ALIENS—REPORTS OF JUDICIARY COMMITTEE

Mr. McCARRAN. Mr. President, from the Committee on the Judiciary, I report an original concurrent resolution (S. Con. Res. 90) favoring the suspension of deportation of certain aliens, and I submit a report (No. 1662) thereon.

The VICE PRESIDENT. The report will be received and the concurrent resolution will be placed on the calendar.

The concurrent resolution (S. Con. Res. 90) was placed on the calendar, as follows:

*Resolved by the Senate (the House of Representatives concurring), That the Congress favors the suspension of deportation in the case of each alien hereinafter named, in which case the Attorney General has suspended deportation for more than six months.*

A-6383378, Kuszer, Czeslawa (alias Cywie or Czeslawa Miller, alias Sylvia Kuszer).

A-6383379, Kuszer, Szymon (alias Symcha or Simka or Sam Kuszer).

A-6479549, Paulson, Grace.

A-6667970, Weinberger, Irena Szenker.

A-7049343, Martinez, Fernando Antonio.

A-7049344, Martinez, Roberto, or Roberto Martinez-Sanchez.

A-7049345, Martinez, Maria Eugenia Del Socorro.

A-7049346, Martinez, Mario Sergio.

A-2225243, Rempaldi, Riccardo (alias Riccardi Rampaldi).

A-6389173, Scheinberg, Noach.

A-6389172, Scheinberg, Pola.

A-2260655, Soto, Jesus.

A-6351787, Sperapani, Giannina Caffarecci.

A-6351785, Sperapani, Roger Joseph, or Ruggero Temperini.

A-6989474, Torres, Hermelinda, or Maria Hermelinda Torres.

A-6188518, Torres, Anastacio, or Anastacio Torres-Villa.

A-4768694, Wecker, Karl Ludwig Paul.

A-6360345, Wein, Martin, or Moshe Wein-schenker.

A-6175017, Wong, Ella Guadalupe (nee Elia Guadalupe Fua Perez).

A-7577001, Minner, Robert Franz Cornelius.

A-7762482, York, Norma Louise, or Norma Louise Smith or Sunny York or Sunny Smith or Norma Howell or Sunny Howell.



A-7646205, Grey, Alice Mary (nee Samson).  
A-7646206, Grey, Henry James.  
A-6791278, Medina-Zamudio, Isidro Medina.

A-1173119, Medina, Emilia Garcia, or Amelia Garcia Medina or Amelia Garcia Medina-Zamudio or Amelia Medina or Amelia Garcia or Emilia Garcia or Emilia Medina.

A-6949748, Avalos, Elias.  
A-6880770, Avalos, Francisco, or Francisco Avalos Rios or Francisco Rios Avalos.

A-6949747, Avalos, Jose.  
A-3826236, Britton, Wilfred.  
A-3669591, Deste, Mario.

A-6898198, De Valdespino, Aurelia Villarreal, or Aurelia Villarreal De Devalos or Aurelia Villarreal-Gomez or Maria Villarreal.

A-5912742, Fischer, Felice Breier, or Felice Breyer Fischer.

A-6790871, Ghilarducci, Francesco (Frank) (alias Joe Martini).

A-1825803, Glunz, Richard Johann.  
A-6420561, Maroudis, John Leonidas.

A-3974722, Tarazon, Dionicio, or Francisco Valencia or Jose Sanchez.

A-5952739, Barry, Olive Inez (nee Williams).

A-5886157, Barry, Leopold Orlando.  
A-6357804, Callwood, Gladys.

A-6357803, Callwood, Ina.  
A-3124705, Callwood, Princess Andora (nee Fahle).

A-6497702, Stavrides, Theoharis Stavros.

Mr. McCARRAN. Mr. President, from the Committee on the Judiciary, I report an original concurrent resolution (S. Con. Res. 91) favoring the suspension of deportation of certain aliens, and I submit a report (No. 1663) thereon.

The VICE PRESIDENT. The report will be received and the concurrent resolution will be placed on the calendar.

The concurrent resolution (S. Con. Res. 91) was placed on the calendar, as follows:

*Resolved by the Senate (the House of Representatives concurring), That the Congress favors the suspension of deportation in the case of each alien hereinafter named, in which case the Attorney General has suspended deportation for more than 6 months.*

A-1073930, Abramovich, Esther (nee Edelman).

A-2795324, Adler, Anton Joseph.

A-7597471, Afable, Trinidad Barcelon.

A-7083947, Aigner, Thomas Siegfried.

A-4690550, Alonso, Juan Vidal.

A-5905367, Alvarado-Tinajero, Alfonso, or Alfonso Ramirez-Mendoza.

A-6071124, Alvarez, Jose.

A-3408841, Ammouri, Naim Moussa, or Neal Korey.

A-1706235, Andrato, Gregorio, or Gregorio Andrade.

A-9798597, Andreadis, Marie Chris, or Mary Chris Andreadis or Maria G. Hadjigeorgiou or Maria Hadjigeorgiou.

A-7127004, Andreu, Clarivel Azcuy y.

A-4508770, Arico, Mary (nee Magadding or Concetta Catanzaro).

A-6722069, Arrieta-Gobantes, Genaro.

A-2643410, Artinian, George Kevork (alias Kevord Palutzian).

A-1247435, Atanasoff, Peter Petooff, or Peter Petooff.

A-1890139, Bagley, Jeanne Modeste (nee Milet).

A-1333743, Bainbridge, Harry.

A-7629835, Bak, Wong Sing, or Sing Bak Wong or Wong Hick Chuen or Wong Dock or Wong Dock Sou.

A-4732147, Barajas-Macias, Miguel, or Miguel Barajas-Macias.

A-2083912, Barrow, Albertha Geraldine.

A-3993487, Barsan, Frank, or Sofronie Barsan or Borson.

A-1721963, Belro, Jesus Garcia.

A-6178550, Bell, Maybelle Lillian (Ditcham), or Maybelle Lillian Ditcham.

A-9536179, Beltran, Jose Bernabeu, or Jose Bernabeu.

A-4879671, Bembibre, Elisardo Dieguez y, or Elisardo Dieguez.

A-3256622, Bemelmans, Anton Hubert, or Mathew Jansen.

A-7680070, Bennett, Sophy (nee Ellis).

A-6303939, Benson, Heman, or Hemon Benson.

A-4887477, Berkon, Morris Joseph, or Jose Barrkan.

A-9517718, Bernsten, Reidar Norman Hansen.

A-3203835, Bidabe, Pedro Morales, or Pete Bidabe.

A-1995970, Billi, Gyorgy, or George Bally.

A-1524597, Block, Stanislaw Marius, or Marius Stanley Block or George Grot.

A-3083136, Borst, William Frederick Ernst (also William Frederick Borst).

A-4543975, Bosch, Maria, or Maria Gasne y Valencia De Bosch.

A-3103042, Brozda, Bruno Ludwig.

A-5001294, Burkle, Angela Augusta (nee Trentmann).

A-7036031, Bustamante, Pedro.

A-1598070, Cabrera, Luis Quiros, or Luis Quiros.

A-2069246, Caneira, Joao Antonio; John Antonio Lavarado; Joao Caneira Lavarado.

A-7043831, Cannon, John Dyson.

A-7043832, Cannon, Patricia Ivy.

A-2355501, Caputo, Andrew or Andrea.

A-9776952, Carlson, Carl Ivar, or Karl Ivar Karlsson.

A-3191788, Carpico, Lorenzo (alias Lawrence Carpico).

A-3071829, Carrasco, Therese (nee Teresa Preciado).

A-4000004, Catania, Vincenzo, or James Catania.

A-5156654, Catingub, Glicerio Tenchavez, or Glicerio Serna, Sam Lohn.

A-6165565, Catingub, Saturnina Reyes.

A-5162757, Chandler, Eustace Anysley (alias George Chandler).

A-6372204, Chateau, Felix Victor Henri, or Felix Chateau or Felix Victor Chateau.

A-3650263, Chau, Gee Lun, or Lew Shee (Lew Gee Lun) or Lew Gee Lun or Lee Shee.

A-7018212, Chau, Lim Hung, or Chau Lim Hung or Chau (Jew) Lim Hung or Henry Chau.

A-6504925, Chien, Helen Jeanne.

A-7755529, Chen, Tung Chang.

A-2076118, Chen, Tung-Yu, or Jeannette Chen Tung-Yu Jeannette Chen.

A-5826240, Chernos, Joseph.

A-9670160, Christensen, Jens.

A-5089823, Conde, Jose.

A-3789517, Coppa, Carmelo.

A-2796364, Curran, Owen Gerard.

A-3433741, Czalkowsky, Jozef, or Joseph Choda.

A-1049862, Da Graca, Eduardo (alias Edward Grace).

A-2758574, Da Silva, Antonio Joaquim.

A-6219984, Dactylidis, Evangelos Dimitrios.

A-5905293, De Castro, Enid Marjorie.

A-1638731, De Escobedo, Teresa Villa Michel (nee Michel).

A-3410879, De Flores, Luisa Chavarria, or Luisa Chavarria-Reyes.

A-4445601, De Llamas, Maria Del Refugio Esquivel.

A-2170883, De Lopez, Marta Mendoza, or Marta Mendoza de Munoz.

A-2551054, De Martinez, Eulogia Reyna, or Eulogia Reyna or Eulogia Reyna De Picasle.

A-4367525, De Mendonca, Juliao Furtado, or John Rodrigues or John Furtado.

A-5071175, De Rodriguez, Alejandra Gonzalez Delgadillo.

A-4639473, Rodriguez, Leon Garcia.

A-2132195, De Rosas, Maria Agundez.

A-3670199, Deneau, Marvin.

A-5324331, Derosier, Maisie Mary, or Maisie Mary Derosa or Maisie Derosier.

A-3033637, Desmarais, Estela Emma.

A-2091253, Deveau, Harry Henry.

A-2091250, Deveau, Marie Domethilde, or Marie Le Blanc.

A-6013915, Diaz-Lomeli, Toribio, or Juan Perez or Jose Miranda.

A-3471413, Dienesch, Johann, or John Dienesch.

A-4583763, Dilalla, John, or Giovannantonio Dilalla.

A-3567943, Dimitroff, Milenko, or Milo Dimitroff or Milenko Demetroff or Milo Demetroff or Mike Dimitroff or Menelaos Miliangos or Menelaos Diom Miliangos.

A-1515700, Dollah, Amir Bin, or Win-alaeng Anthony or Hermanus or Herman Anthony.

A-6799286, Duff, William.

A-6507254, Durazo-Murillo, Jose Trinidad.

A-6507255, Durazo-Murillo, Mercedes.

A-9663540, Eide, Malvin Hansen, or Melvin Hansen Eide.

A-5504980, Einheiber, Schame Berl, or Sidney Berl Einheiber or Schame Berl Einheiber (alias Sidney Berl Einheiber alias Jack Orman or Jack Orman).

A-6012098, Esteves, Manuel Rosales.

A-1181383, Estwick, Saint Clair Aubrey.

A-2092286, Evtikhieff, Alexander Nicholas.

A-1999836, Evtikhieff, Taistia (nee Blinoff).

A-3077848, Falquez, Guadalupe Gomez, or Guadalupe Gomez or Guadalupe Aguirre or Guadalupe Gomez Fontes or Guadalupe Gomez Olvera.

A-9692081, Fatovic, Ante, or Anthony Fatovic.

A-6738872, Faur-Kovach, Anna (nee Savony).

A-2140994, Fernandes, Antonio, or Antonio Fernandez Cortez.

A-2041676, Fernandez-Mendez, Jose.

A-2541466, Filipas, George, or Giorgio Filipas.

A-3406284, Flaman, Joseph, or Joseph Fleming.

A-2072204, Fohr, Terezia, or Terezia Mueller.

A-6697070, Fong, Yee Get, or Fong Yee Get.

A-1762447, Fung, Ka, or Carl Fung.

A-1352659, Gajdos, Andrew, or Ondrej Gajdos.

A-6877284, Galaviz, Antonio, or Antonio Galaviz Valdez or Antonio Galaviz Medina or Juan Antonio Galaviz.

A-3619996, Ganazlez, Blendenido Teodoro.

A-2927340, Gandolfo, Pietro, or Pete Gandolfo.

A-2920632, Gasca, Gabriel.

A-3822948, Gee, Chung Yuk, or Chung Shee or Lam Kee or Lum Chun Shee or Chee.

A-2771315, Gold, Sam, or Shmelich Kogonovitch.

A-2466303, Goldfarb, Olga Caplin, or Olga Goldfarb Moskowitz or Anna Moskowitz or Rachael Bader.

A-4982285, Gomez, Joseph Isabel, or Joseph I. Castillo.

A-2228918, Goncar, Joseph or Joseph Goncar Smith.

A-6874339, Gonzales-Madrilal, Salvador.

A-3507776, Gray, Mary, or May Mackintosh.

A-3173905, Greenfield, Ben.

A-6370246, Griffith, Pamela Ann or McGuire.

A-6228873, Griffith, Victoria Mary (nee de Leon).

A-9610888, Grimanis, Demetrios.

A-2115015, Groll, Majer Marcus, or Mayer Groll or Mark Groll.

A-1832812, Guerrero, Luisa Torres, or Luisa Torres.

A-2106915, Gugliotti, Carmine, or Charles Gugliotti.

A-34227623, Guida, Mathilda Marion.

A-1179673, Guzman-Villalobos, Hilario.

A-5815984, Harris, Nathan Benjamin.

A-7130616, Hartung, Eckbert Michael Heinz.

- A-6193008, Hassan, Sayeda Mahgoub Mohamed Hanafi, or Sayda Mahgoub Mohamed Hahafi Hassan, Sayda Mahgoub Hanafi Hassan (nee Hanafi, Sayeda Mohamed Hanafi, Sayeda Hassan).
- A-3443257, Hecker, Edgar Alexander (also known as Edgar Alexander Mourey).
- A-5027883, Hencke, Wilhelm Carl, or William Henke or William Kalow.
- A-6623176, Herbert, Lionel Austin Lee (alias Lionel Austin Lee Triggs-Herbert).
- A-2761261, Herberth, Maria.
- A-2470717, Hermanovsky, Askold, or Askold Felix Hermanovsky, or Askolds Feliss Hermanovskis.
- A-6502066, Hernandez, Rodolfo Rodriguez, or Rodolfo Chavez.
- A-4683207, Herrmann, Charles Henry.
- A-7112113, Hickman, Ingeborg (nee Killan).
- A-7529791, Ho, Laura Wen-Wei Fong (nee Laura Wen-Wei Fong).
- A-6081096, Hodge, Clothilda Albertha or Fahlie.
- A-1665257, Hok, Quon On, or Quon On or On H. Quon.
- A-1924242, Holstein, David, or Dezso Holczstein.
- A-3274140, Hong, Chang Kan, or Wy Hong.
- A-6972382, Iovanut, Vasile.
- A-7632241, Ip, Ching-U.
- A-9836666, Isaksen, Isak William.
- A-4268685, Jackson, Benjamin, or Benny Jackson.
- A-6877614, Jaquez, Antonio.
- A-9727770, Jerman, Pawel, or Pawel Korczak.
- A-4195369, Kadas, James Louis, or Emerio Louis Kadas or James Kadas or Iwre Kadas.
- A-4619404, Kecan, Gyorgy, or George Kecan or George Kegan.
- A-2876051, Keppler, Minna.
- A-6683097, Kirkinis, Peter Spyros, or Petros Spyros Kirkinis.
- A-9727425, Kirs, Oskar.
- A-4427244, Knudsen, Olive Beulah (nee Thompson).
- A-9577325, Kollen, Derk, or Dirk Kollen.
- A-5542604, Konrad, Wilhelm, or William Conrad.
- A-3698401, Kontogeorge, Nick Kostas, or Nick Constantinos Kontogeorge or Nick Constantinos Kontogeorge.
- A-3583137, Kostanoff, Atanas Naum, or Tom Kostanoff.
- A-2854818, Krawciw, Stefan.
- A-9731137, Kristensen, Kaare, or Kare Kristensen.
- A-6909431, Kromdijk, Wilhelmus Francis, or William Francis Kromdijk.
- A-9210605, Kruse, Hans Holger Ekkart.
- A-6919688, Lambertson, Robert Ferdinand (alias Robert Hans Ferdinand Lenaerts).
- A-6075392, Lamcos, Edalia Delida (nee Smith).
- A-9569104, Larsen, Helge Carl.
- A-9500501, Larser, Reidar.
- A-7560716, Lee, Sheridan Hsio-Tao.
- A-7079666, Leidemann, Erhard Franz Rudolf.
- A-7070018, Leng, Junior, Christopher.
- A-6729560, Levy, George Raphael.
- A-9777400, Macropoulos, Achilles Konstantine, or Achille K. Macropoulos.
- A-6965313, Madamba, Jorge Arzaga.
- A-2292354, Malkhasian, Maria (nee Khojavian Sinamian or Mary or Marisa Malkhasian).
- A-6617917, Mandujano-Urbano, Jesus.
- A-3173287, Mantzouras, Constantinos Demetrios, or Costas Mantzouras.
- A-2387106, Mantzouras, Elias Demetrios, or Ilias Dimitriou Mantzouras Matsouras.
- A-3987221, Mashkovzeff, Stanislava Kazemirevna.
- A-6834424, Mata, Clara, or Clara Luz Mata or Clara Mata Salinas.
- A-227862, Mattina, Concetta (nee Morreale).
- A-1050931, Maudrame, Theodore.
- A-4693337, Maus, Jacob.
- A-5128253, Maus, Katherine.
- A-4358245, Maxwell, Coburn Dain.
- A-2971536, Mazurkiewicz, Jan, or John Mazurkiewicz.
- A-5669253, McDonnell, Ella Gertrude, or Ella Gertrude Macdonnell (nee Fitzgerald).
- A-6850799, Mekota, Marie or Maria (nee Zsilinsky (Zsilinsky)).
- A-9552939, Meling, Hans Kristian.
- A-2021599, Meren, Joseph, or Giuseppe Meren.
- A-5733476, Merry, Fanny Louisa, or Louise Merry.
- A-5733477, Merry, Francis John, or Frank John Merry.
- A-9567868, Mitchell, George Ernest (alias Noel Drayton).
- A-5329333, Molano, Edward Joseph, or Hernando Eduard Molano or Herman Molano.
- A-9776866, Molfesis, Elias Antonis.
- A-3531460, Molfetas, Spyridon, or Spiros Molfetas or Molfis or Molefis.
- A-4502152, Molnar, Yolanda Margaret.
- A-6077556, Morales, Nicolas Concepcion.
- A-6077557, Morales, Maria Wijsfing.
- A-2585410, Motecus, Frank, or Pranas Motecius.
- A-4264157, Moutafis, Panagiotis, or Pete Mottis.
- A-2494140, Mrazek, Emanuel, or Emanuel Mrazek or Fred Koerner.
- A-5068733, Natali, Gervasio, or Gerry Nata.
- A-6954785, Nejman, Chaim, or Charles Nejman or Neiman.
- A-3390241, Nelson, Alena, or Elena Pacinaltye or Alena Miller or Victoria Miller.
- A-6442781, Neves, Joaquim Duarte (alias Jack Duarte).
- A-5653460, Oglvie, Donald Fitzgerald, or Donald Fitzgerald Bloomfield.
- A-9741619, Olsen, Ole Alfred.
- A-7198339, Osinga, Ellen Marjorie Hephzibah, or Ellen M. Osinga.
- A-2647493, Palomba, Salvatore.
- A-2596917, Panagopoulos, Efthimios Peter, or Tom Peter Poulos.
- A-3132671, Panos, Andonios, or Tony Panoff or Doncho Mincoff.
- A-6032529, Park, Elizabeth Gertrude (formerly Elizabeth Gertrude Reed).
- A-6800421, Pascu, Elena.
- A-6799098, Pascu, Livia.
- A-3878965, Passalacqua, Silvio.
- A-3995683, Pasut, Agostino.
- A-2712841, Pazos, Manuel Fernandez, or Manuel Fernandez Pazos.
- A-6844292, Pearson, Samah Alexander.
- A-9653913, Pedersen, Karl Leo, or Carl Leo Pedersen.
- A-6877608, Perez, Ignacio.
- A-6877595, Perez, Juan.
- A-1382539, Perez, Jose Baldemero, or Jose Perez Lloret.
- A-2402258, Perreman, Pierre Gustaaf, or Peter Gus Perreman.
- A-5180458, Person, Nils Nilsson, or Nils Nilsson Rodrich or Nils Nilsson (also known as Frank Nelson or Nils Nelson or Nils Rodrick).
- A-4859297, Petillo, Eduardo, or Edward Petillo or Frank Petillo.
- A-5755874, Pierce, Anne Rita.
- A-3610998, Pierce, James Bernard.
- A-1913858, Pissolito, Pietro, or Pete Pissolito or Pete Pissolito.
- A-5144863, Ponsen, Gerrit Dionisius Jacques Cornelis, or Joseph Dionisius Posum.
- A-7776187, Ponton, Manuel Rivas (alias Manuel Rivas y Ponton or Manuel Rivas).
- A-9770748, Pouillion, Pierre, or Pierre Pouillion.
- A-3089099, Pousatis, Vasilios Michael (alias Bill Hatzes).
- A-2017756, Pouso, John, or John Poso or Juan Pouso or John Poseo.
- A-2903907, Primosigh, Gustav Viktor.
- A-1120352, Raavik, August Taaniel.
- A-2942082, Rabon, Antonio Pan, or Tony Pong.
- A-4647233, Raddell, Frank, or Franc Radell.
- A-2244803, Raftopoulos, Gerasimos Sacrates, or Raftis, Jerry.
- A-3219252, Raming, Bastian, or Ratag Bastian Raming or Arnocoukar.
- A-6030615, Ramirez-Garnica, Efrain, or Ygnacio Ramirez.
- A-9620323, Raphael, Cecil.
- A-6581452, Rascon-Uranga, Francisco.
- A-2594718, Rear, Margarita Flores.
- A-7127253, Ready, Bessie, Bessie Dyer (maiden name).
- A-7127252, Ready, Patrick John.
- A-7127254, Ready, Vincent Hugh.
- A-6186303, Rebarber, Francis Joseph.
- A-6970666, Rebenstock, Filip.
- A-2163404, Reinartz, Klara, or Klara Schaefer or Klara Hoppe.
- A-1437106, Reisinger, Martin.
- A-1363369, Richardson, Albert Nicholas.
- A-5973613, Richardson, Ellen Marie.
- A-6790898, Rios, Rodolfo, or Rudolf Rios or Rodolfo Rios Aranda.
- A-7127396, Robinson, Earl Denzil.
- A-2757126, Rodrigues, Gaspar.
- A-1605234, Rodriguez-Barberil, Efrain Emeterio.
- A-1979902, Rodriguez, Segundo, or Segundo Rodriguez.
- A-6701391, Roelofs, Johanna.
- A-4909853, Roggia, Bruno.
- A-2630552, Rojas, Maria Luisa, or Maria Luisa Rojas De Resendez.
- A-2101118, Rojas-Gomez, Baltazar, or Baltazar Rojas.
- A-2101126, De Rojas, Michaela Reyes.
- A-3307202, Rojas-Reyes, Catalina.
- A-7747414, Roos, Pieter Cornelis.
- A-6987959, Roos, Helen Elizabeth (nee Pigeon).
- A-6107227, Rubio-Sanchez, Sebastian (alias Sebastian Sanchez Rubio; Rubio S. Sanchez).
- A-5676907, Ruffoni, Antonio Geosue, or Jose Rossi or Alfred Aquistopace.
- A-3143580, Rusin, John Steven (also John S. Ofsonka).
- A-1169902, Sadgrove, John Edwin, or Charles Trevor Brent.
- A-4382263, Sala, Jose Costa, or Jose Prats Serra.
- A-2497264, Salminen, Clara Ray (formerly Freyermuth nee Hanlon).
- A-1585894, Salvat, Emma, or Emma Sweetonic or Svitonek.
- A-4431316, Sammels, Joseph Oscar, or John Sammels or Joseph George Sammels.
- A-6806625, Sanchez-Gonzalez, Gilberto, or Gilberto Sanchez or Gilberto Gonzalez Sanchez.
- A-1478194, Satray, Louis Edgard, or Louis Edgard Schwartz.
- A-9542586, Sauerlender, Oscar Sewell, or Oscar S. Sauerlender.
- A-2554471, Savaia, Manuel Reyes, or Manuel Reyes Zavala.
- A-4789173, Schiller, Sigrid Augusta (nee Andriassen).
- A-2850571, Schlue, Charles Wilhelm.
- A-1101551, Schramm, Emma Bertha Friederike.
- A-1101552, Schramm, Gustav Adolf Louis Wilhelm.
- A-3541127, Scuderi, Carmelo.
- A-3294369, Seid, Gam Jun, or Kam Jun Seid or Seid Kam Jun.
- A-2249462, Seijas, Jose Fernandez.
- A-7732182, Lemus-Serrano, Francisco, or Francisco Lemus-Serrano or Francisco Lemus Serrano.
- A-3840731, Shapiro, Adeline Chagnon (alias Adeline Chagnon).
- A-3718739, Siaba, Manuel, or Malvarez, Manuel Siaba or Sadamalbares, Manuel or Sabo, Manuel.
- A-6390026, Silldorff, Rita (nee Rederiksen, alias Rita Jensen).
- A-3059228, Silvestri, Henri, or Henry Silvestri.
- A-2037979, Simon, Magdalena.
- A-4688737, Sjostrom, Isak Erick, or Eric Erickson.
- A-1499807, Smolich, Augustus, or Augustin Smolich.
- A-3112815, Sofkitis, Demitros, or Demetrios Sofkitis or James Sofkitis.



A-1217450, Sousouris, Louis, or Leonidas Sousouris.  
 A-7695213, Sove, Ole Johan.  
 A-3392479, Sparozlich, John.  
 A-4365213, Spielman, Zeldia, or Zeldia Gizella Spielman.  
 A-3925742, Spinati, Nicola Mario, or Nicola Mario Spinati.  
 A-6466867, Stilling, Sandra Helen, or Sandra Helen Cryderman.  
 A-3491407, Stokel, Antonietta (nee Altea).  
 A-3322803, Stowe, Aubrey Edwin.  
 A-1690789, Struhs, Henry.  
 A-7539132, Sung Henry Hsien-Yung, or Hsien Yung Sung.  
 A-2708363, Suzuki, Nobuo.  
 A-5869036, Swanton, Richard Alfred Ernest.  
 A-2829532, Szymanski, John Joseph.  
 A-2565102, Tani, Denkichl.  
 A-6738804, Tarango, Josefa.  
 A-6738805, Martinez, Ramona.  
 A-3712868, Thury, Elizabeth (nee Geschrey).  
 A-3375594, Todte, Rudolf.  
 A-5262345, Trojanowski, Aleksander.  
 A-2310191, Tsangaris, Haralambos Markos, or Harry Tsangaris.  
 A-6721501, Tsanopoulos, Nicholas.  
 A-2245831, Tsai, Albert Lou Suen, or Lou Suen Tsai.  
 A-7127064, Twinchek, Mary Antoinette, or Mary Antoinette Pittgrino.  
 A-2913790, Vallianos, Gerassimos P., or Gerry P. Vallianos.  
 A-6069706, Urtaza-Cabrera, Francisco.  
 A-5890889, Vagianos, Nicholas Michael.  
 A-1712592, Vakerlis, Marie George (alias Marie Keramida).  
 A-3488135, Valerio, Juan.  
 A-3488999, De Valerio, Maria Alaniz, or Maria Alaniz-Gonzales.  
 A-3298334, Varga, Antoniu.  
 A-3033959, De Vasquez, Dolores Silva, or Dolores Silva.  
 A-2941192, Ventouras, Ioannis Dimitrios.  
 A-4243716, Venturas, Christos Nicholas (alias Chris Vans).  
 A-9661154, Virgo Selwyn or Selwyn or Selvin.  
 A-1785079, Vittoratos, John Gerassimos, or John Victor.  
 A-4288432, Vlamis, Phillip T., or Filippos Vlamis.  
 A-3865054, Vilisides, Sam Hetros or Slamatiolos.  
 A-3934378, Wah, Lee Yow, or Lee Wah or Wah Lee or Tommy Lee.  
 A-1285735, Ward, Amos Alexander, or Amos Ward.  
 A-4988296, Warnken, Helen Agatha Marjory.  
 A-6323288, Weber, Doreen Florence, or Doreen Florence McCoy.  
 A-6855868, Westover, Edwin Harold.  
 A-4637806, Whangbo, Ik Jun, or Eugene Whangbo or Eugene Park Hwangbo or Ik Choon Whangbo.  
 A-1606634, White, Aimee Lucy De Mowbray Bone, or Aimee Lucy De Mowbray Bond.  
 A-1036437, White, Mary Eva (nee Mullin).  
 A-5481737, Wikiel, Mieczyslaw, or Mitchell M. Wickel or Mitchell Wickel.  
 A-5967991, Williams, Irene Constantia, or Irene Constancia Williams.  
 A-4360569, Wilson, Mary Augusta, or Mary Augusta Teske or Mary Teski.  
 A-3852010, Wing, Char.  
 A-1471745, Wong, Gim Foon.  
 A-3276345, Wong, Ho, or Pak Chung Wong.  
 A-7581240, Wong, Kah-King.  
 A-3631245, Yagoda, Jona, or Jona Jagoda or Joseph Silverman or Joe Silverman Jagoda or Jose Iesek or Iezek or Tezek or Izek.  
 A-1720838, Yoanou, Nicola, or Nicola Kousma Ioanou.  
 A-2319618, Yoshida, Toshiko.  
 A-5392625, Yung, Ching, or Yung Ching.  
 A-5978129, Zammitt, Kenneth Joseph A.  
 A-5978130, Zammit, Norman Charles.  
 A-9836063, Zorrilla, Anibal Augustin.

A-3306700, Facchin, Umberto, or Alberto Feroli.  
 A-4133536, Fellensteiner, Josef Harold.  
 A-1620715, Feola, Joseph, or Giuseppe Feola.  
 A-3523283, Hsih-Heng, Wang (also Si Heng Wang).  
 A-4126637 Wang, Louise Siu-Tuan Chen.  
 A-3489334, Adler, Katherine, or Katherine (nee Germani Schskaja).  
 A-4560155, Di Vito, Frank or Francesco.  
 A-4060879, Giordano, Nicola.  
 A-6353038, Iliades, Constantine Emanuel or Iliades, Kosstas.  
 A-1159322, Kim, Chang Ha.  
 A-6477415, Paap, Cornelia.  
 A-6472373, Paap, Antonie.  
 A-5107356, Stefanatos, Apostolos, or Apostolos Stephenatos.

#### BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HENDRICKSON:

S. 3603. A bill for the relief of Sister Anna Ettl;

S. 3604. A bill for the relief of Mitsui Komai; and

S. 3605. A bill for the relief of Dr. Alexander Renner and Mrs. Teresa Renner; to the Committee on the Judiciary.

By Mr. JOHNSON of Colorado:

S. 3606. A bill for the relief of Linda Ann and Christina Jean Kerschen; to the Committee on the Judiciary.

By Mr. MYERS:

S. 3607. A bill to incorporate the Italian-American World War Veterans of the United States; and

S. 3608. A bill authorizing the naturalization of Leilah Alaoui Mullin; to the Committee on the Judiciary.

By Mr. McMAHON:

S. 3609. A bill for the relief of Heinz Lichtenstern and family; to the Committee on the Judiciary.

By Mr. McCARRAN:

S. 3610. A bill for the relief of R. W. Harris, authorized certifying officer, Bureau of Federal Supply, Treasury Department; to the Committee on the Judiciary.

By Mr. McCARRAN (by request):

S. 3611. A bill for the relief of Dorrance Ulvin, former certifying officer, and for the relief of Guy F. Allen, former Chief Disbursing Officer;

S. 3612. A bill for the relief of M. S. Davis;

S. 3613. A bill for the relief of certain Chinese stewards of the United States Navy; and

S. 3614. A bill for the relief of John B. Underwood, Jr., TMC, United States Navy; to the Committee on the Judiciary.

By Mr. HUMPHREY:

S. 3615. A bill for the relief of Elena Bodanecka; to the Committee on the Judiciary.

By Mr. SALTONSTALL (by request):  
 S. 3616. A bill to recognize nonprofit non-political veterans' organizations for purposes of bestowing upon them certain benefits, rights, privileges, and prerogatives; to the Committee on Finance.

By Mr. LANGER:

S. 3617. A bill for the relief of Hans Udo von Schultz; to the Committee on the Judiciary.

#### LAURENCE A. STEINHARDT, LATE AMBASSADOR TO CANADA

Mr. LEHMAN submitted the following resolution (S. Res. 276), which was referred to the Committee on Foreign Relations:

*Resolved*, That it is the sense of the Senate that the services to his country of the late Ambassador to Canada, Hon. Laurence A. Steinhardt, were of a high and devoted order and that he died in the line of duty.

*Resolved*, That the Senate hereby expresses its high praise of his sacrifice and recognizes

that his skill and courage in the administration of his difficult responsibilities reflected great credit to himself and to the United States.

*Resolved*, That the Secretary of the Senate transmit a copy of these resolutions to the family of the late Ambassador.

#### MRS. JENNIE M. GARDNER—INDEFINITE POSTPONEMENT OF BILL

Mr. HENDRICKSON. Mr. President, I ask unanimous consent that the Committee on Finance be discharged from the further consideration of the bill (S. 3271) for the relief of Mrs. Jennie M. Gardner, and that it be indefinitely postponed.

The VICE PRESIDENT. Is there objection to the request of the Senator from New Jersey? The Chair hears none, and it is so ordered.

#### HOUSE BILLS REFERRED OR PLACED ON CALENDAR

The following bills were severally read twice by their titles and referred, or ordered to be placed on the calendar, as indicated:

H. R. 1991. An act for the relief of Alexander Stewart;

H. R. 2225. An act for the relief of William B. Buol;

H. R. 2229. An act for the relief of John P. Hayes;

H. R. 2535. An act for the relief of Samuel J. D. Marshall;

H. R. 2766. An act for the relief of Maria Geertrude Mulders;

H. R. 3007. An act for the relief of Harry C. Goakes;

H. R. 3535. An act for the relief of William A. Cross;

H. R. 3805. An act for the relief of Yuk Onn Won;

H. R. 4140. An act for the relief of the Great American Indemnity Co.;

H. R. 4364. An act for the relief of Mrs. Ruth B. Moore, John Robert Lusk III, John R. Lusk, Sr., Mrs. Minnie P. Pruitt, and Mrs. Billie John Bickle;

H. R. 4370. An act for the relief of May Hosken;

H. R. 4803. An act for the relief of Bernard F. Elmers;

H. R. 4960. An act for the relief of Mrs. Elizabeth H. Whitney;

H. R. 5221. An act for the relief of Mrs. Maria Grazia Riccio DiPietro;

H. R. 5252. An act for the relief of W. M. Tindal;

H. R. 5799. An act for the relief of the Acme Finance Co.;

H. R. 5947. An act for the relief of Alfio Batelli;

H. R. 6066. An act for the relief of Cheng Sick Yuen;

H. R. 6416. An act for the relief of Paul E. Roche;

H. R. 6482. An act for the relief of Antonio Artolozaga Euscola;

H. R. 6644. An act for the relief of Edwin F. Rounds;

H. R. 7315. An act for the relief of Daijiro Yoshida;

H. R. 7564. An act for the relief of Maria Margareta Ries and Konrad Horst Wilhelm Ries;

H. R. 7991. An act for the relief of D. C. Hall Motor Transportation; and

H. R. 8290. An act for the relief of Jeffrey Bracken Spruill and Susan Spruill; to the Committee on the Judiciary.

H. R. 5074. An act to promote the national defense by authorizing specifically certain functions of the National Advisory Committee for Aeronautics necessary to the effective prosecution of aeronautical research, and for other purposes; to the Committee on Armed Services.

H. R. 7255. An act to provide for the conveyance of certain real property in Hopkins County, Ky., to the estate of James D. Meadors; to the Committee on Finance.

H. R. 7966. An act to amend the act entitled "An act to incorporate the trustees of the Presbyterian congregation of Georgetown," approved March 28, 1806; ordered to be placed on the calendar.

H. R. 8287. An act to authorize the Secretary of the Interior to issue duplicate of William Gerard's script certificate No. 2, subdivision 13, to Lucy P. Crowell; to the Committee on Interior and Insular Affairs.

#### FLOOD CONTROL, IRRIGATION, AND POWER PROJECTS IN OKLAHOMA

[Mr. THOMAS of Oklahoma asked and obtained leave to have printed in the Record a statement relating to flood control, irrigation, and power projects in the State of Oklahoma, which appears in the Appendix.]

#### ADDRESS BY DR. ABBA HILLEL SILVER ON THE SECOND ANNIVERSARY OF ESTABLISHMENT OF THE STATE OF ISRAEL

[Mr. TAFT asked and obtained leave to have printed in the Record an address delivered by Dr. Abba Hillel Silver on the second anniversary of the establishment of the State of Israel, the address being delivered at Madison Square Garden, in New York City, on May 11, 1950, which appears in the Appendix.]

#### USE OF THE ATOM BOMB WHEN NOT NECESSARY—EDITORIAL FROM THE ASHLAND (WIS.) DAILY PRESS

[Mr. TAFT asked and obtained leave to have printed in the Record an editorial entitled "The Horror of Having Used the Atom Bomb When It Was Not Necessary," published in the Ashland (Wis.) Daily Press of May 11, 1950, which appears in the Appendix.]

#### PERSONS NATURALIZED IN FISCAL YEARS 1948 AND 1949

[Mr. GREEN asked and obtained leave to have printed in the Record a table listing by States the number of persons naturalized during the fiscal years 1948 and 1949, which appears in the Appendix.]

#### ORGANIZATION OF ALL-AMERICAN CONFERENCE TO COMBAT COMMUNISM

[Mr. MUNDT asked and obtained leave to have printed in the Record a statement of policy, abstracts from the minutes of the organization meeting, a list of the officers, newspaper comments, and a statement prepared by him relating to the organization of the All-American Conference to Combat Communism, which appear in the Appendix.]

#### PRESIDENT TRUMAN'S POINT 4—ADDRESS BY DEWEY ANDERSON

[Mr. HUMPHREY asked and obtained leave to have printed in the Record a statement summarizing an address by Dr. Dewey Anderson, director of the Public Affairs Institute, at the annual meeting of the Nation Associates in New York, April 29, 1950, which appears in the Appendix.]

#### INVOCATION BY REV. GEORGE G. HIGGINS

[Mr. HUMPHREY asked and obtained leave to have printed in the Record the invocation delivered at the national convention of Americans for Democratic Action on April 1, 1950, by Rev. George G. Higgins, assistant director of the Social Action Department of the National Catholic Welfare Conference, which appears in the Appendix.]

#### CIVIL RIGHTS

[Mr. HUMPHREY asked and obtained leave to have printed in the Record an article entitled "TWUA Ignores Rights Barriers," by Murray Kempton, from the New York Post of May 8, 1950, which appears in the Appendix.]

#### APPRENTICES IN GOVERNMENT SERVICE TO VETERANS—LETTER FROM J. F. VICTORY

[Mr. HUMPHREY asked and obtained leave to have printed in the Record a letter from J. F. Victory, executive secretary of the National Advisory Committee for Aeronautics, dated May 3, 1950, regarding appointment of apprentices in Government service to veterans, with the names of the committee, which appears in the Appendix.]

#### PROPOSED TRANSFER OF WATSON LABORATORIES—COMMUNICATIONS AND NEWS COMMENT

[Mr. LEHMAN asked and obtained leave to have printed in the Record several communications and an article from the Rome Daily Sentinel regarding the proposed transfer of the Watson Laboratories from Red Bank, N. J., to Rome, N. Y., which appear in the Appendix.]

#### TWO WORLDS?—OR ONE? OR NONE

[Mr. BRIDGES asked and obtained leave to have printed in the Record an article entitled "Two Worlds?—Or One? Or None," written by Betty Knowles Hunt, and published in the New Hampshire Morning Union of May 13, 1950, which appears in the Appendix.]

#### NATIONAL AFFAIRS PLATFORM OF THE AMERICAN VETERANS COMMITTEE

[Mr. BENTON asked and obtained leave to have printed in the Record the National Affairs Platform of the American Veterans Committee adopted at its fourth annual convention at Chicago, Ill., in November 1949, which appears in the Appendix.]

#### INTERNATIONAL AFFAIRS PLATFORM OF THE AMERICAN VETERANS COMMITTEE

[Mr. BENTON asked and obtained leave to have printed in the Record the International Affairs Platform of the American Veterans Committee, adopted by its fourth annual convention at Chicago, Ill., in November 1949, which appears in the Appendix.]

#### THE ST. LAWRENCE SEAWAY

[Mr. WILEY asked and obtained leave to have printed in the Record a statement prepared by him relating to the proposed St. Lawrence seaway, a statement by Mr. George M. Humphrey, president of the M. A. Hanna Co., on the need of the American steel industry for new sources of iron ore, an editorial from the April 1950 issue of Great Lakes Outlook, and a list of American leaders who serve in the Great Lakes-St. Lawrence Association which appear in the Appendix.]

#### EFFECT OF PROPOSED TARIFF REDUCTION ON AMERICAN LEATHER-GLOVE INDUSTRY

[Mr. WILEY asked and obtained leave to have printed in the Record a statement on the effect of the proposed tariff reduction on the American leather-glove industry, prepared by the National Association of Leather Glove Manufacturers, under date of May 5, 1950, which appears in the Appendix.]

#### NEED FOR THE MARINE CORPS—EDITORIAL FROM THE TERRE HAUTE STAR

[Mr. CAPEHART asked and obtained leave to have printed in the Record an editorial entitled "Nation Needs Marines," published in the Terre Haute Star on April 18, 1950, which appears in the Appendix.]

#### THE ARGUMENT ABOUT "SOCIALISM"—EDITORIAL BY WALTER LECKRONE

[Mr. CAPEHART asked and obtained leave to have printed in the Record an editorial entitled "The Argument About 'Socialism,'" written by Walter Leckrone and published in the Indianapolis (Ind.) Times on May 14, 1950, which appears in the Appendix.]

#### FOR A REPUBLICAN CONGRESS IN 1952—NO RUBBER STAMP APPROVAL OF SOCIALIST PROGRAM—ADDRESS BY SENATOR TAFT

[Mr. CAPEHART asked and obtained leave to have printed in the Record a radio address delivered by Senator Taft on the principles of the Republican Party, on Tuesday, May 16, 1950, which appears in the Appendix.]

#### FEDERAL FAIR EMPLOYMENT PRACTICE ACT—CLOTURE MOTION

The Senate resumed the consideration of the motion of Mr. LUCAS to proceed to the consideration of the bill (S. 1728) to prohibit discrimination in employment because of race, religion, or national origin.

Mr. LUCAS. Mr. President, as all Senators know, the Senate has under consideration Senate bill 1728, to prohibit discrimination in employment because of race, religion, or national origin. I send to the desk a petition, and ask that the clerk read it.

The VICE PRESIDENT. Under the unanimous-consent agreement of yesterday the junior Senator from Minnesota [Mr. HUMPHREY] has the right to the floor. Does he yield?

Mr. LUCAS. Mr. President, will the Senator from Minnesota yield in order that I may make this request, without the Senator losing the floor?

Mr. HUMPHREY. Yes; I am happy to yield.

The VICE PRESIDENT. Under the rule the Chair is required to state the proposal to the Senate. The Chair will ask unanimous consent that he may authorize the clerk to read it. Without objection, it is so ordered, and the clerk will read.

The legislative clerk read as follows:

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate upon the motion of Mr. LUCAS that the Senate proceed to the consideration of the bill (S. 1728) to prohibit discrimination in employment because of race, color, religion, or national origin.

SCOTT W. LUCAS; FRANCIS J. MYERS; BRIEN MCMAHON; MATTHEW M. NEELY; ELBERT D. THOMAS; DENNIS CHAVEZ; WM. BENTON; PAUL H. DOUGLAS; HERBERT H. LEHMAN; HARLEY M. KILGORE; THEODORE FRANCIS GREEN; HUBERT H. HUMPHREY; EDWARD L. LEAHY; GLEN TAYLOR; HOMER E. CAPEHART; B. B. HICKENLOOPER (by KENNETH S. WHERRY); FOREST C. DONNELL; CHARLES W. TOBEY; ROBERT A. TAFT; WILLIAM F. KNOWLAND; KENNETH S. WHERRY; HOMER FERGUSON; WILLIAM E. JENNER; LEVERETT SALTONSTALL; H. C. LODGE; EDWARD J. THYE; H. ALEXANDER SMITH; MARGARET CHASE SMITH; ROBERT C. HENDRICKSON; GEORGE D. AIKEN; I. M. IVES; JOHN W. BRICKER; JAMES P. KEM; OWEN BREWSTER; HUGH BUTLER; HARRY DAREY; ANDREW F. SCHOEPPPEL; JOE MCCARTHY; ARTHUR V. WATKINS; EDWARD MARTIN.

Mr. LUCAS. Mr. President, I should like to make a brief statement.

The VICE PRESIDENT. For the benefit of the Senate, the Chair would like to announce that under the rule 1 hour from the hour of meeting on Friday, the Chair will lay the cloture petition before the Senate, and automatically will have a quorum called, and after that the



vote will be taken without further debate.

The Senator from Illinois.

Mr. LUCAS. Mr. President, the distinguished Vice President has said practically what I had intended to say.

The VICE PRESIDENT. The Chair apologizes to the Senator.

Mr. LUCAS. No; the Senator from Illinois is very happy that the Vice President made the statement, because he has more influence with Senators than I have, and I am satisfied that as a result of the statement made, Senators will be present Friday. That is the point I desired to emphasize.

I reiterate what I previously said with respect to the importance of the vote. I appeal to Senators to be present on Friday at 1 o'clock, because the Senate will no doubt convene at 12 o'clock, and therefore, under the rule, as the distinguished Vice President has said, 1 hour thereafter the vote will be taken automatically under the rule.

Mr. SALTONSTALL. Mr. President, will the Senator yield for a question?

Mr. LUCAS. I do not have the floor, but with the permission of the Senator from Minnesota, I yield to the Senator from Massachusetts.

Mr. SALTONSTALL. I should like to ask the majority leader if he plans to take up for consideration any of the resolutions dealing with reorganization plans prior to the vote at 1 o'clock on Friday.

Mr. LUCAS. The Senator from Colorado [Mr. JOHNSON] served notice yesterday that two plans would be taken up as soon as he could obtain the floor today. I believe that is correct; is it not?

Mr. JOHNSON of Colorado. Yes.

Mr. LUCAS. The Senator from Minnesota, under the unanimous-consent agreement, has the floor at the present time.

Mr. JOHNSON of Colorado. Mr. President, will the Senator from Minnesota yield to me?

Mr. HUMPHREY. I yield.

Mr. JOHNSON of Colorado. In that connection I will say that I shall attempt to secure the floor the moment the Senator from Minnesota, who secured the floor yesterday and has it now, completes his statement. I shall try to obtain the floor in order to move the consideration of Senate Resolution 253 disapproving Reorganization Plan No. 7. Later on I shall move to the consideration of Senate Resolution 256 dealing with Reorganization Plan No. 11.

Mr. LUCAS. Mr. President, of course, we all know that under the rule each of the resolutions could be debated for 10 hours. In the event the Senator from Colorado succeeds in having the first resolution considered, it is my hope that we may be able before we conclude the session today to complete action on it, as well as the other resolution dealing with plan No. 11, to which he referred. I now serve notice on the Senate that we may have a night session in order to do that very thing. I believe the time has come when we should proceed with some expedition, even though it necessitates a night session, to make disposition of the two resolutions. I believe we can complete action on both today.

Mr. JOHNSON of Colorado. Mr. President, will the Senator again yield?

Mr. LUCAS. I yield.

Mr. JOHNSON of Colorado. It is my hope, though I may be too optimistic, that we can have both resolutions out of the way by 4 o'clock today.

Mr. LUCAS. The Senator is very optimistic. I certainly hope his optimism will be justified. I doubt it, however.

The VICE PRESIDENT. Under the unanimous-consent agreement, the Senator from Minnesota [Mr. HUMPHREY] is recognized.

JOHN W. KERN, JUDGE, TAX COURT OF THE UNITED STATES—MESSAGE FROM THE PRESIDENT

Mr. LUCAS. Mr. President, will the Senator from Minnesota yield for a unanimous-consent request?

Mr. HUMPHREY. I am glad to yield to the Senator from Illinois if I do not lose my rights to the floor by doing so.

The VICE PRESIDENT. Without objection, the Senator from Minnesota yields to the Senator from Illinois without losing his rights to the floor.

Mr. LUCAS. Mr. President, the distinguished Senator from Missouri [Mr. DONNELL] has for some time been discussing the appointment and confirmation of the Honorable John W. Kern, who is now a judge of the Tax Court of the United States. The President of the United States has issued a release as a result of a resolution adopted by the Senate on May 9, and I ask unanimous consent that, as in executive session, the clerk read the release.

The VICE PRESIDENT. The Chair was just about to lay before the Senate a message from the President of the United States on that subject. The Chair lays the message before the Senate, as in executive session, and asks that it be read.

Mr. LUCAS. Mr. President, I stand corrected.

The legislative clerk read as follows:

*To the Senate of the United States:*

On May 10, 1950, there was delivered to the White House a resolution adopted by the Senate on May 9 requesting me to return to the Senate that body's resolution advising and consenting to the appointment of John W. Kern to be a judge of the Tax Court of the United States.

The nomination of Judge Kern was confirmed by the Senate on April 25, 1950. On the same day the Senate ordered that the President be immediately notified of this confirmation, and I was so notified on that day.

Judge Kern's commission, dated April 25, 1950, was signed by me and was delivered to him on April 27, 1950.

I am unable to comply with the Senate's request for the return of the resolution of confirmation because, before this request was received by me, I had signed and delivered the commission of Judge Kern to him in reliance upon the resolution of confirmation.

HARRY S. TRUMAN.

THE WHITE HOUSE, May 17, 1950.

The VICE PRESIDENT. The message will lie on the table.

# FEDERAL FAIR EMPLOYMENT PRACTICE ACT

The Senate resumed the consideration of the motion of Mr. LUCAS to proceed to the consideration of the bill (S. 1728) to prohibit discrimination in employment because of race, religion, or national origin.

Mr. HUMPHREY. Mr. President, let me say at the beginning of my remarks that it is my intention not to yield for the purpose of permitting questions during the delivery of my prepared statement. Following the presentation of my statement, I shall be more than happy to receive whatever questions may be asked and to endeavor to answer them to the best of my ability.

Mr. President, I have no desire to prolong extensively the debate on this important motion and on this important measure. I feel that the question of whether S. 1728 should move from the calendar to the floor for consideration and a vote is one which can be decided rapidly and without lengthy debate. S. 1728 in this respect should be treated no differently than any proposal made by the majority leadership. Those who oppose this bill, or any bill, have ample opportunity to debate it in full once it reaches the floor and have every opportunity to oppose it and vote against it when that time comes.

The Senate of the United States has been accredited with being the greatest deliberative body in the world. Those of us who have the honor and the privilege to have been chosen by our fellow citizens to represent them in this distinguished body have a particular responsibility to maintain its dignity and prestige. I urge all of my colleagues, of whatever persuasion with regard to the merits of this bill, to be guided by that consideration.

The American people have a right to expect that the Senate of the United States will discuss and vote on all vital legislation which affects them. S. 1728, a Federal Fair Employment Practice Act, is one in which the American people are vitally interested. We of the United States Senate have a responsibility and a duty to allow this measure to reach the floor for our consideration and our vote. Although we have a responsibility to permit any minority to persuade and then actively to oppose legislation if their consciences so guide them, I submit that no minority has a right to prevent the Senate of the United States from considering and eventually voting on that legislation.

In the past, civil-rights legislation has been surrounded either by prolonged filibuster or by threats of filibuster. I urge the Senate of the United States not to enter into such a performance again. The United States cannot afford a prolonged filibuster, or, in more polite language, unlimited debate, if it is to maintain, abroad and at home, the dignity and prestige of the institutions of representative government.

Toward that end, therefore, I shall be content with a mere summary statement of my position and ask unanimous consent that the more detailed text of my remarks be placed in the body of the Record following my spoken comments.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. HUMPHREY. Mr. President, there is one point I wish to emphasize. S. 1728 is probably as significant a piece of legislation as we in the Congress of the United States will have an opportunity to consider. On it hinges not only the true fulfillment of our democratic heritage in America, but the prestige of democracy in the world. Discrimination in America on account of race, color, religion, or national origin, is a cancer in our body politic. Two-thirds of the people in the world are colored. So long as men and women and children of color are discriminated against in the United States, so long as they are denied equal opportunities, the colored peoples of the world have a right to suspect our professed friendship for them and to look upon our international efforts for world understanding and democracy with suspicion. At this time I wish to pay high tribute to the remarks of the junior Senator from Connecticut [Mr. BENTON] on this very subject. He delivered a masterful address in pointing out the relationships between the foreign policy of this country and its domestic policy, a policy which we are now considering in the field of civil rights.

Ralph Waldo Emerson once said:

The peoples of the world cannot hear what we say because what we do keeps dinning in their ears.

Ralph Waldo Emerson had the insight of a great philosopher when he reminded us that our words seem empty but our actions seem to fill the atmosphere.

The preservation and extension of human rights is the paramount issue of our generation. Basic civil rights is the core of our struggle against Communist totalitarianism.

There has been a great deal of discussion on the floor of the Senate about Communism. Our antagonism to communism, our hatred of the Communist philosophy, is based upon the fact that communism denies basic civil rights, denies man's relationship to his God, denies the equality of men. So we hear all kinds of speeches in the Senate about what we should do about the Communists, when the one thing we could do to strike a real blow for freedom and a real blow against totalitarianism is to pass Senate bill 1728, which would open up the benefits of opportunity to all people, regardless of their race, color, national origin, or religion. The issue of civil rights penetrates our foreign policy and I submit that adulterates our domestic policy. By denying basic civil rights to American people because of their color or race or religion or national origin, we are denying the basic principles of human equality on which the foundations of American democracy rest.

This year of 1950 is a rather memorable and historic year, for it was four-score and seven years ago, on January 1, 1863, that a noble American and a beloved President, issued for his day and for the pages of world history the Emancipation Proclamation. Fourscore and seven years ago, on November 19, 1863, Abraham Lincoln, standing bareheaded

at Gettysburg, rededicated our Nation "to the proposition that all men are created equal."

We in the Congress of the United States today, then, have the opportunity and the privilege to say to the world that the great message of human equality proclaimed to the world by Thomas Jefferson and Abraham Lincoln and Franklin Roosevelt still remains the true beacon light which fashions and molds American life and American hopes and aspirations.

Americans believe in the Godlike principles of the Declaration of Independence that all men are created equal. Americans believe in a society based on human dignity and equal opportunity. That is the expressed purpose of Senate bill 1728, namely, to create a body of public law that will guarantee the realization and the protection of human dignity and equal opportunity.

Let us not allow a minority here in America, though it be strong here in the Senate of the United States, to becloud the true nature of the deep convictions of the American people.

Let us not forget that a majority of the American people have expressed their support for the legislation which we now propose to have the Senate of the United States consider. They have expressed their support through their churches, of all denominations, as the report of the committee of the House and the report of the members of the Senate Committee reveal; through their labor organizations, through their civic and community councils, and through the growing number of municipal and State FEPC ordinances.

Today, 50,000,000 Americans, or more than one-third of the country's population, live in communities governed by State and municipal FEPC laws.

Permit me to digress for a moment to cite the importance of this legislation for communities not now covered by FEPC laws. Many times during these debates I have heard our friends from the South say, "Why pick on the South?" Frankly, they have said that in many instances southern communities are more humane and more fair in their treatment of minority groups than are northern communities. I am not here to dispute that assertion. I simply say that, because of the migration of people, and particularly at this stage, the migration of Negro American citizens into the northern cities, it is of paramount importance that social patterns be established, and that we not allow a type of social pattern to be established in the communities which would be one of discrimination, bigotry, and intolerance.

I have heard my friends from some of the Southern States refer to violence in northern cities, to the lack of opportunity in northern communities on the part of minorities. I want to say to them in all charity, this is one of the reasons for our wanting a national or Federal FEPC Act, because we know that the people of the United States move from community to community and from State to State. We want to be sure that the patterns of human conduct are established in decent and equitable relationships in the new communities to which they go, whether

the communities be in the North, the South, the East, or the West.

This proposed legislation has no sectional import. We are not trying to point the accusing finger at any one area of America. Discrimination is a universal sin in all parts of America. It is not the part, it should not be the part, of any Member of the Senate to feel that any one section of the country is being singled out for purposes of criticism or condemnation.

The issue is simply this: Are we to permit patterns of discrimination to become universal and to become set, or are we to legislate against actions and conduct—antisocial conduct—involving discrimination and intolerance?

Let us not forget these facts. Let us not allow the false issues raised by opponents of this proposed legislation to becloud the real issues. I shall have something to say about some of these false issues. To raise the issue of whether the Senate committee should have held hearings—and I make particular reference to that—to raise such an issue, even though hearings have been held since 1944 on this question, or to raise the issue of how early or how late the report on this bill was submitted is to talk with tongue in cheek.

Let me digress for a moment. I said yesterday on the floor of the Senate that with respect to hearings on fair-employment practices we have had thousands of hearings, we have had testimony from hundreds of witnesses. But now the issue has been raised that we have had no hearings on this bill in the Senate, in the Eighty-first Congress, despite the fact that on an identical bill in the House hearings were held. The House of Representatives is a coordinate branch of the Federal legislative process. But the question of hearings does not appear to be an issue, except when some of our friends want it to be.

Yesterday on the floor of the Senate I pointed out that the bill for the National Science Foundation, a bill of great import to the future of the Nation, was passed without even a yea-and-nay vote in the United States Senate, yet there were no hearings in the Eighty-first Congress. The bill entitled "Federal Aid to Education," a highly controversial piece of legislation, one which has provoked a great storm of criticism in America, was passed by the United States Senate without any hearings in the Eighty-first Congress. I did not hear any Senator rise on the floor of the Senate to say, "Where are the hearings?" As a matter of fact, members of both political parties, in committee and out of committee, said that in the previous hearings of the Eightieth Congress, and in other Congresses, we had all the testimony that it was possible to get.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. HUMPHREY. I must say I want to yield to the majority leader, but I said at the beginning that I was not going to yield, and I desire to be fair.

We passed a school health services bill providing direct Federal assistance to every school child in America, and not 1 minute was spent in hearings on the bill, yet it was passed unanimously with



less than 10 minutes of consideration on the floor of the United States Senate.

This great hue and cry about the lack of hearings is a convenient argument. We have hearings when we need them. We have had hearings galore upon FEPC legislation, with thousands upon thousands of pages of testimony. When we see that there is no need of further hearings, because the testimony is in and the record is there for all men to read, it has been the policy of the United States Senate to proceed with the legislation. I submit that it ill behooves those who voted for Federal aid to education, who voted for the National Science Foundation bill, who voted for the school health services bill, all without any hearings in the Eighty-first Congress—and the school health services bill did not even have any hearings in the Eightieth Congress, the Seventy-ninth, the Seventy-eighth, or the Seventy-seventh—it ill behooves those Senators to rise in righteous indignation and say, "This is a momentous piece of legislation. We cannot consider FEPC without hearings in the Senate." We have had hearings far beyond any need of further hearings.

Let us take the committee report, now. Had this report been filed last year, the present debate would still be held, the present threat of unlimited debate would still face us, and the opponents of this legislation would not be one whit happier about the bill. No matter what kind of report might have been made, the opposition to this bill would be exactly as it is at this moment, report or no report. So I say that the talk about, "Where are the hearings? How come the report was so late?" has nothing to do with the issue. But I may also point out that anyone who wanted to be heard on the issue of fair employment practices before a congressional committee, could have been heard. No requests to be heard were made by individual Members of the Senate to the House of Representatives when the hearings were held by a committee of that body, nor were any such requests made to the Senate committee.

Mr. President, I make a further plea. Let us put aside partisanship, if there is any in this debate. I hope there is none, because both political parties have made a solemn commitment to the American people on this issue. My friends from the Southern States did not make that commitment. They are acting in good faith. But I submit that those of us who did make the commitment in the Democratic platform and those on the opposite side of the aisle who made it in the Republican platform had better come through. We had made a solemn promise to the American people.

Now, let us face the facts; let us realize the need; let us understand that our very security as a nation is involved in this proposed legislation. To pass this bill is to bridge the gap between our protestations and our practice of democracy. The passage of this bill would strengthen the hands of the United States in foreign affairs and raise our prestige throughout the world. I say again that the greatest criticism we have in foreign areas is by reason of our failure to live up to the practices of human

rights in America. To be sure, we know the criticism is unfair; to be sure, it is exaggerated; but the fact is that we need to bolster our foreign policy by the intangible forces which are known as good will and sound democratic practice, and by living the faith that we have declared to be our faith—the democratic faith.

Mr. President, those who would like to save a few dollars on the budget will do more to strengthen our foreign policy by voting for civil-rights legislation, than the contribution of another billion dollars of economic aid could do for it. It will not cost the Government of the United States a dime, except for the administration of the law.

The global conflict in which we are engaged is a conflict between the ideas and moral values of our democratic civilization and the philosophy of totalitarianism. In the consciousness of our people everywhere, the dignity of the individual, the innate value of the human personality—these are the touchstone of the democratic ideal. To the extent that we permit men to be denied the right to work because of the irrelevancies of race, religion, or origin, to that extent we do violence to the democratic ideal, and to our position as the spiritual arsenal of democracy.

Mr. President, I wish to say a few words in analysis of the argument of the opposition, up to this time, after having read the Record.

The opponents of fair-employment-practice legislation are guilty of gross misinterpretation of the objectives, and of distortion of the facts. They are guilty of political trickery and subterfuge. They are guilty of efforts to smear the proposed legislation by continuous reference to and use of such terms as "communism," "socialism," and "un-Americanism."

Strange as it may seem, Mr. President, we are not at this stage of the game even debating the merits of FEPC. The average American citizen thinks we are debating FEPC, when, in fact, all we are debating is a motion to consider the bill. I should like to have one of my colleagues explain that to intelligent American citizens. I should like to have them explain why this motion should be treated any differently from any others. We take up appropriation bills without any difficulty. There is no debate on taking up such a bill, though it is debated when once it is on the floor. We took up the question of foreign-aid programs without any argument about the motion to take up; but when it comes to a civil-rights bill, we have unlimited debate upon the question of whether we should even consider the issue for the purpose of a final vote. It is not only strange, but, I submit, it is an effort to evade responsibility for constructive legislation. It is an effort to delude the American people. It is an effort to deny the Congress of the United States an opportunity to vote upon a highly controversial and vital piece of legislation. We are engaged in parliamentary trickery—

Mr. CONNALLY. Mr. President, a point of order.

The PRESIDING OFFICER (Mr. Long in the chair). The Senator will state it,

Mr. CONNALLY. Did the Senator say that those who are opposing cloture are deluding the American people?

Mr. HUMPHREY. The Senator from Minnesota said that the effort to deny this bill a chance to come up on the floor to be considered upon its merits is an effort to delude the American people.

Mr. CONNALLY. Mr. President, I make the point of order that that statement is a reflection on every Senator who does not agree with the Senator from Minnesota.

The PRESIDING OFFICER. Under the provisions of rule XIX, the Senator from Minnesota should take his seat.

Mr. RUSSELL. Mr. President, notwithstanding the invoking of rule XIX, I move that the Senator from Minnesota be permitted to proceed in order.

Mr. CONNALLY. That means that he shall not violate the rule in proceeding in order, does it not?

The PRESIDING OFFICER. That is the understanding. The question is on the motion of the Senator from Georgia [Mr. RUSSELL].

The motion was agreed to.

Mr. HUMPHREY. Mr. President, I can assure the distinguished Senator from Texas that the Senator from Minnesota has no desire to violate the rule, and he holds the Senator from Texas in the highest regard.

Mr. CONNALLY. He does not, if he charges the Senator from Texas with undertaking to delude someone. If the Senator from Minnesota is deluded, it is not with reference to this subject.

Mr. HUMPHREY. Mr. President, the Senator from Minnesota has not yielded, not even to the Senator from Texas.

The PRESIDING OFFICER. The Chair will state that under rule XIX any time a Senator infringes upon the rules of the Senate, any Senator may invoke the rule.

Mr. HUMPHREY. The Senator from Minnesota is very happy to be reminded of the rules of the Senate, and will surely abide by them. However, on this occasion, since it is something which should be brought to the attention of this honorable body, I make note of the fact that some weeks ago while the Senator from Minnesota was being assailed on the floor of the Senate he saw no Senator rise to invoke the rule. At that time the Senator from Minnesota was accused of misstatements, falsehoods, and other things. I thought it was appropriate that one take that kind of comment in the give-and-take of debate. The Senator from Minnesota was fortunate enough to be reared in a good, decent family, and he will abide by the rules.

Mr. LUCAS. Mr. President, will the Senator yield for an observation?

Mr. HUMPHREY. The Senator is glad to yield.

Mr. LUCAS. I want to say that the Senator from Illinois is going to be very flexible in his conscience as to when rule XIX is violated.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. HUMPHREY. The Senator from Minnesota will not yield at this time.

Mr. HOLLAND. The Senator was fair enough to yield to one of his cohorts.



Will he not yield to one who does not see the question exactly as he does?

Mr. HUMPHREY. The Senator from Minnesota wants to be fair, so he suggests that the Senator from Florida proceed.

Mr. HOLLAND. Mr. President, I want to say that I have no disposition to enforce the rule. I recall that yesterday afternoon the distinguished Senator saw fit to use the word "blasphemy" as applied to the Senator from Florida, the senior Senator from Georgia, and perhaps the junior Senator from Georgia, but no effort to invoke the rule was made. But I invite the attention of the Senator from Minnesota to the fact that we should much prefer to have him cease the use of such terms and extravagant expressions, which certainly have no relation to the debate, and which certainly are imputing to Senators who do not feel as he does things which are not imputed in the course of ordinary, decent parliamentary discussion.

Mr. HUMPHREY. I am delighted to have the Senator's observation, because I am sure that when it comes to speaking with exaggeration there are many exaggerations throughout the country in reference to fair-employment-practice legislation. But the Senator from Minnesota is sticking to the facts. My position is that in this debate there has been gross misrepresentation, and there have been beclouding and befogging of the issues. There has been a practice of political and parliamentary trickery. Whether the rule is violated or not, that is my position, and I shall enunciate it on the Senate floor whenever I have an opportunity. The attempt to smear this proposed legislation by such terms as "communism," "socialism," and "un-Americanism," is an attempt to defraud the American people.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. LUCAS. I am not much interested in protecting the Senator from Minnesota. He can protect himself—

Mr. RUSSELL. He has done that.

Mr. LUCAS. I am interested in the rule which applies. I maintain that the rule is not in keeping with the best practices of the United States Senate. I maintain that when one Senator can cause another Senator to take his seat by simply calling him to order under rule XIX, as the Vice President said a few days ago, even while he is saying the Lord's Prayer—I maintain that a rule which permits one Senator to discipline another Senator under such circumstances is absolutely wrong and is not in keeping with the best parliamentary practices of a great deliberative body of this kind. It is very easy to call a Senator to order and require him to take his seat. It can be done without any rhyme or reason, perhaps. I mentioned it awhile ago more or less as a matter of protection for myself in the future.

The PRESIDING OFFICER. The Chair will state that, although the Chair does completely disagree with the interpretation of the rule as laid down by the distinguished Vice President a short time ago, to the effect that a Senator could be made to take his seat, even though he had not said anything viola-

tive of the rule, it is the opinion of the present occupant of the chair that the rule of the Senate has been considerably violated in the debate today. The Senator from Texas was correct in raising the point of order, because there had certainly been an unfair reflection cast upon the action of certain Senators.

Mr. NEELY. Mr. President, a parliamentary inquiry.

Mr. HUMPHREY. I yield only for a parliamentary inquiry, Mr. President.

The PRESIDING OFFICER. The Senator from West Virginia will state his parliamentary inquiry.

Mr. NEELY. Mr. President, a few weeks ago a Senator, in debate, asserted that a statement made by another Senator was untrue. I called the Senator who made the assertion to order. Thereupon the present occupant of the chair the Senator from Louisiana [Mr. Long] contended that it did not impugn a Senator's motives to say that he had made an untrue statement. I submit that the Chair's present ruling is not consistent with his former contention.

The PRESIDING OFFICER. It was the feeling of the present occupant of the chair that when one Senator says the statement of another Senator is not true it does not represent a reflection upon him or anyone else unless he implies that he knowingly told an untruth. Certainly it is possible for anyone to make an erroneous statement. The Chair feels that it reflects upon a Senator to say that he knowingly said something that was not true. The Chair does not think it is a reflection upon a Senator to state that a particular statement is not true if the Senator made it in all good faith thinking it to be true.

Mr. NEELY. Is it the opinion of the Chair that it is a more serious infraction of rule XIX for a Senator to say that our present proceedings are deluding the public than it would be for him to charge that a Senator has uttered an untruth? In other words, under the rule or regardless of it, is "delude," which is synonymous with "mislead," a more offensive expression than "untruth," which is synonymous with "lie"? If it is not, and the Chair's former contention was correct, the Senator from Minnesota has not been out of order.

Mr. HUMPHREY. I refuse to yield for further observations. I got into one fishing expedition sometime ago. I shall now maintain my rights to the floor and shall yield for questions at a later time.

Mr. President, I should like to make an observation with reference to another argument which the opposition has made repeatedly. I have heard it said that FEPC legislation caters to a minority. The opponents say it caters to a minority. That charge has been made again and again. The argument is made that Congress is giving far too much consideration to minorities, not only in this proposed legislation but in other pieces of legislation, as well. It appears to me, Mr. President, that the only minority the Senate seems to be catering to is the minority of Senators who are opposed to consideration of FEPC legislation. It appears to me that the minority is in the Senate, not in the country.

The next argument is that FEPC was initially supported by Communists and Socialists, that it is Communist inspired, and that its source and inspiration are in Communist doctrine. This is an attempt to condemn a worthy piece of legislation by association with an unworthy group. I take sharp exception to that kind of argument. Efforts to damage this important piece of legislation by association with Communist doctrine and Socialist programs borders upon blasphemy. That is the same word I used yesterday. It borders upon blasphemy. Great spiritual leaders of the Catholic, Protestant, and Jewish faiths have testified in behalf of this legislation. I submit that to try to color the argument in this debate by saying that FEPC is somehow or other Communist supported is to try in some way to throw a misrepresentation or misinterpretation upon the legislation and the testimony of the great spiritual leaders who have testified in its behalf before the Senate committee.

I have already quoted what the late Monsignor John A. Ryan of the Catholic Church has said. I have quoted Bishop Haas, Bishop Sheil, and noted rabbis. I have also quoted from letters received from the Federal Council of Churches of Christ in America. These great spiritual leaders put their blessings upon fair-employment-practice legislation. What did they say? What did they say as to its source? Not what did the Senator from Minnesota say, but what did these great spiritual leaders say was the source and inspiration of FEPC legislation? They said the inspiration was the doctrine of Christianity and the words of Jesus Christ. I resent the implication that this legislation by any stretch of the imagination can even be considered to border upon the vicious philosophy of communism. I am sure that the great spiritual leaders of this country would feel the same resentment. I ask that the bill be debated upon its merits. I ask that it be debated upon the issues as represented by the provisions in the bill. Every time a piece of legislation comes before Congress which somebody does not like someone drags out the "red herring" or Socialist paint brush, and proceeds to attack it as un-American. If there is anything that can be considered to be anti-Christian, immoral, un-American, and antidemocratic, it is discrimination. The terms bigotry and intolerance are not to be found in the philosophy of democracy or Christianity. To the contrary, they represent a denial of intolerance, discrimination, and bigotry. Communism is intolerance compounded and confounded. Bigotry and intolerance are a basic part of Communist philosophy.

To intimate that this legislation, by any stretch of the imagination, has communistic lineage or has communistic background is exactly what I have said—blasphemy.

Mr. HOLLAND. Mr. President, a point of order.

The PRESIDING OFFICER. The Senator will state it.

Mr. HOLLAND. The Senator is proceeding out of order. Blasphemy is defined as cursing of the Deity or cursing



of some divine or holy thing. I resent its application equally to myself, to the senior Senator from Georgia [Mr. GEORGE] and to the junior Senator from Georgia [Mr. RUSSELL], all of whom have truthfully pointed out the fact that the first suggestion of setting up a Government agency to handle fair employment practices was and is in the platform of the Communist Party of 1928. Mr. President, I invoke the rule.

The PRESIDING OFFICER. In accordance with rule XIX, the Senator from Minnesota will take his seat.

Mr. LUCAS. Mr. President, I move that the Senator from Minnesota be allowed to proceed in order.

Mr. CONNALLY. A parliamentary inquiry, Mr. President.

The PRESIDING OFFICER. The Senator will state it.

Mr. CONNALLY. May a Senator proceed and repeat what he has already said? What would it mean to have the Senator proceed?

The PRESIDING OFFICER. The Senator would be permitted to proceed in order and without violating the rules of the Senate.

Mr. CONNALLY. The Senator has already violated them, and he is going to violate them again if he proceeds. I want to know what the Chair will rule if the Senator repeats what he said a short time ago.

The PRESIDING OFFICER. A motion that a Senator be permitted to proceed in order is not subject to debate. However, if the Senator violates a rule of the Senate, the rules state the Presiding Officer or any Senator may invoke the rule, at which time the Senator shall take his seat and remain in his seat until the Senate permits him to proceed. The Senator from Illinois has made a motion that the Senator be permitted to proceed in order.

Mr. SALTONSTALL. Mr. President, a point of order.

The PRESIDING OFFICER. The Senator will state it.

Mr. SALTONSTALL. Mr. President, I ask that the Official Reporter read the words of the Senator.

The PRESIDING OFFICER. The Official Reporter will read the words to which exception was taken.

Mr. HOLLAND. Mr. President, a point of order.

The PRESIDING OFFICER. The Senator will state it.

Mr. HOLLAND. The Senator from Minnesota is not in his seat.

The PRESIDING OFFICER. The Senator from Minnesota will be seated. The Official Reporter will read the words of the Senator from Minnesota.

The Official Reporter (Charles J. Drescher) read as follows:

To intimate that this legislation, by any stretch of the imagination, has communistic lineage or has communistic background is exactly what I have said—blasphemy.

The PRESIDING OFFICER. The question is on agreeing to the motion of the senior Senator from Illinois [Mr. LUCAS]. [Putting the question.]

Mr. LUCAS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LUCAS. Mr. President, I ask unanimous consent that the roll call be discontinued.

The VICE PRESIDENT. Without objection, the order for a quorum call is rescinded, and further proceedings under the call will be suspended.

Mr. LUCAS. Mr. President, I ask unanimous consent that I may make a short statement.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Senator from Illinois may proceed.

Mr. LUCAS. Mr. President, we are in the midst of a very unusual debate, on an issue which is highly controversial, and the debate is one which can stir the emotions of Senators on both sides of the question. It has been my hope throughout the debate that the bill would be debated upon its merits, on a high plane, in keeping with the dignity and the traditions of the United States Senate. The Senator from Minnesota has been called to order twice under rule XIX. Obviously a Senator can be called to order at any time under the rules of the Senate. The Senator from Georgia moved the first time that the Senator from Minnesota proceed in order, and the last time the Senator from Minnesota was compelled to take his seat, the Senator from Illinois moved that he proceed in order.

Mr. President, it is the hope of the Senator from Illinois that all Senators will, in the debate, regardless of whether they are speaking for or against the bill, debate the bill in line with the rules of the Senate. I hope the Senator from Minnesota may be permitted to continue to debate the issues.

Mr. SALTONSTALL. Mr. President, as acting minority leader I ask unanimous consent to make a very brief statement.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. SALTONSTALL. Mr. President, I have listened to the words of the majority leader. At my request the reporter read the words of the Senator from Minnesota. They were extremely strong words, words which should not be used on the floor of the Senate in debate. I believe that the debate, no matter what our feelings may be in respect to the issue involved, has been conducted on a very high, dignified plane. I have high respect for the opponents of the measure, although I am on the other side. I hope the issue raised by the remarks of the Senator from Minnesota will not be put to a vote and that he will be permitted to regain the floor, but I hope that with the warning he has twice received, the membership of the Senate will not permit the type of words to be used that he has used, and that the Senator from Minnesota will proceed, as he is capable of proceeding, on a high plane in a debate that is, to many people, of great emotional character.

Mr. HOLLAND. Mr. President, I ask unanimous consent that I may make a brief statement.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. HOLLAND. Mr. President, I have no desire whatever to take the Senator from Minnesota or any other Senator off the floor of the Senate provided he proceeds in order and provided he does not trespass against the rules of the Senate, which do very clearly prevent the use of such terms as the Senator from Minnesota used in his last spoken words, and as he used yesterday afternoon, and as he used on other occasions today.

The distinguished senior Senator from Massachusetts, who is acting as minority leader, has expressed my sentiments exactly. I am perfectly willing, and I hope that without record vote, the Senator from Minnesota may be allowed to proceed.

It was my understanding that the majority leader and the minority leader were both going to make statements such as that made by the minority leader. I am unable to say that the statement made by the majority leader measures up to that standard. It was my understanding that he was to assure the Senate that in the event the Senator from Minnesota or any other Senator insisted upon using such words, such terms, such tactics, he would no longer have the protection of the majority leader and that he would make no motion that the Senator from Minnesota resume the floor, such as he has made in this instance.

I should like at this time to address a query to the distinguished majority leader, as to whether I misunderstood him in that statement, whether it is his feeling that the Senator from Minnesota and all other Senators, including the junior Senator from Florida, must comply with the rule and the decencies and amenities of parliamentary procedure, in order to be allowed to proceed with the consent of the majority leader when such a situation as this may arise?

The VICE PRESIDENT. Does the Senator from Illinois wish to respond?

Mr. LUCAS. Mr. President, I wish to speak briefly. I doubt the propriety of the Senator from Florida discussing the private conversation we had here a moment ago. The Senator from Illinois did move that the Senator from Minnesota be allowed to proceed in order, and I thought perhaps that if the Senator from Minnesota violated the rules again probably the action of the majority leader would speak louder than words. I think probably that is the situation. I do not care to become involved in any debate with the Senator from Florida upon this proposition.

I repeat what I said a moment ago. I implore—I plead—with Senators on both sides of the aisle to debate the issues raised by the bill in line with the rules and the precedents of the Senate. That is all I care to repeat, Mr. President. If a Senator does violate the rules, then the actions of the majority leader at that particular time will speak for themselves.

The VICE PRESIDENT. The question is on the motion of the Senator from Illinois [Mr. LUCAS] that the Senator from Minnesota [Mr. HUMPHREY] be permitted to proceed in order. (Putting the question.) The motion is agreed to,

and the Senator from Minnesota may proceed in order.

Mr. HUMPHREY. Mr. President, with reference to the most recent situation which has been before the Senate I make the following comments, and I shall make every effort to be in order. I should like to quote from the CONGRESSIONAL RECORD of yesterday, on page 7096, the remarks of the Senator from Florida [Mr. HOLLAND]. Speaking of the fair-employment-practice measure he said:

That does not mean necessarily that the particular program would have to be bad, simply because the Communists suggested it, but it means that it comes from their philosophy, that they claim paternity, as they have repeatedly, in the Daily Worker, that that paternity is recognized by such writers as Mr. Arthur Krock, that paternity was recognized by the California Committee on Un-American Activities of the California Legislature, and that, following that declaration, Communists generally have been active in the promotion of FEPC, just as was shown in the case of the California activity—

He proceeded to say:

that over 30 of the active members of 63 on the committee there which was sponsoring FEPC as a constitutional measure were themselves Communists and in the communistic effort.

That does not at all mean that everyone who has sponsored FEPC or who is now sponsoring FEPC has the remotest idea of supporting anything which is communistic. It does not mean at all that the Senator from Florida is charging that everyone who is supporting FEPC is communistic; quite the contrary.

Let me make this very clear. This whole program that is related in that part of the Communist platform which has already been placed in the Record, radicalism of the worst sort, has the earmarks of destructive effort, which will make itself felt in every part of the Nation and upon every part of our United States Government, both at the Federal level and at the State and local levels, and we might as well know, when we are seriously considering bringing up such legislation as this, this is the source from which it comes. Not only does it come from that source—

Referring to the Communist Party—

but it has had active lip service and active foot service from that source ever since it sprung full-formed from Communist brains back in 1928.

Mr. President, the junior Senator from Minnesota, in reply to that, as of yesterday, quoted as follows from page 5 of the report on Senate bill 1728, which was presented to the Senate by the Senator from Utah [Mr. THOMAS], the Senator from Montana [Mr. MURRAY], the Senator from West Virginia [Mr. NEELY], the Senator from Illinois [Mr. DOUGLAS], the Senator from New York [Mr. LEHMAN], the Senator from Ohio [Mr. TAFT], the Senator from Vermont [Mr. AIKEN], the Senator from Oregon [Mr. MORSE], the Senator from New Jersey [Mr. SMITH], and the Senator from Minnesota [Mr. HUMPHREY], with some dissenting views. From page 5 of that report I read as follows:

Great leaders of the Roman Catholic Church added their voices in behalf of a Federal Fair Employment Practice Act. As long ago as 1944, the late Msgr. John A.

Ryan told a subcommittee of this committee that he favored this legislation because—

And now I quote from the monsignor—the Christian precept of brotherly love is not satisfied by mere well-wishing, nor benevolent emotion, nor sentimental yearning. It requires action.

Therefore, on the basis of that statement, Mr. President, it has seemed to me that Monsignor Ryan said that its source was to be found in the Christian precepts and concepts and philosophy, and not in the source that has been alluded to by the Senator from Florida. Then I stated that in 1947 the Most Reverend Francis J. Haas, bishop of Grand Rapids, said in a letter to the chairman of the committee, namely, the Senate Committee on Labor and Public Welfare, as follows, as appears on page 5 of the report:

I earnestly hope that this bill will become law.

I offer no lengthy comment on the underlying principle of the bill; that is, that all American citizens are equal and that all are entitled to have their right to equal opportunity protected by law. To me, both as an American citizen and as a Catholic bishop, this principle needs no supporting argument. Equality is among our most treasured American possessions, as it is a central doctrine of Christian faith, which proclaims that all men are equal before God, made equal before Him through His Divine Son, Jesus Christ.

Yet another distinguished Catholic bishop, the Most Reverend Bernard J. Sheil, of Chicago, said:

A fair-employment-practice law would give legal recognition to that God-given dignity which every human being possesses. Economic discrimination is immoral; it is clearly sinful. How long are we expected to sit by while children of God find their paths blocked at every point by the forces of bigotry and discrimination?

Mr. President, my reference to those quotations is simply this: There seems to be an argument as to the source of inspiration for FEPC. I submit that the testimony of those three great churchmen, backed up by the testimony of Dr. Cavert, of the Federal Council of Churches of Christ in America, indicates in clear language that the moral, ideological inspiration of this proposed legislation, is not to be found in the venom of communism, but is to be found in the doctrine of the Christian faith itself.

Because of that, I have some resentment regarding the association of a worthy piece of legislation with what I consider to be the composite and the compound of all evil, the Communist totalitarian doctrine. It appears to me that it is appropriate for one who is interested in this legislation to feel deeply and sincerely that real wrong has been done in this debate, wrong which hurts my own personal feelings, and which damages the faith in which I believe; and I am not going to stand idly by, either on the floor of the Senate or off the floor of the Senate, and hear that faith associated with Communist doctrine.

I had hoped that that was not the intention. However, I can assure the

Members of the Senate, my distinguished colleagues, that this proposed legislation has its antecedents in the Christian faith, the Judeo-Christian faith, the teachings of the Catholic and the Protestant spiritual leadership. Therefore, to associate this bill with everything that is in complete opposition to the moral standards of this country, to my mind, is unfair and inexcusable. It represents the kind of argument that is extremely distasteful, and one that does not have merit.

Mr. President, I had a brief concluding statement, and I wish to make it:

I have tried to summarize the argument about the lack of hearings and the argument that FEPC supposedly caters to a minority.

I have tried to summarize by fact, not by fancy, the other important bills which have been before the Senate and which have been passed despite the lack of hearings.

I have tried to point out what I consider to be the philosophical background of this proposed legislation.

I wish to say that it seems to me it is more appropriate that we should discuss legislation in the philosophical background of Holy Scripture than in the propaganda background of Joe Stalin and the Daily Worker.

Yesterday on the floor of the Senate the Daily Worker was brought into the debate again and again. Mr. President, I am amazed that we would still refer to the Daily Worker. At that time I said that I preferred to take my inspiration from the writings and literature of the Federal Council of Churches of Christ in America and from the leaders of the Jewish and the Protestant and the Catholic faiths, rather than to take any kind of argument from the moth-eaten, ragged pages of the Daily Worker and its insidious philosophy.

Mr. IVES. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. IVES. Is the Senator from Minnesota acquainted with the fact that the Senator from New York knows it to be a fact that the Communists really do not want this legislation?

Mr. HUMPHREY. I am very happy to have that observation made, and I recall that the Senator from New York pointed that out in the initial address he made during this debate on this particular subject.

Mr. IVES. The Senator from New York would like to state that upon the occasion of the hearings on this subject in New York State prior to the passage of the Antidiscrimination Act which now is in force in that State, Communist representatives appeared; and in their appearance before the temporary commission which was holding the hearings, of which the Senator from New York had the honor to be chairman, they were very vehement in their objection to anything of the moderate type which now is under consideration by us. They wanted extreme penalties, penalties impossible of enforcement, penalties which,



if imposed, would ruin the whole effort and upset our whole social order.

I happen to know from experience at that time that no Communist is really in favor of this particular type of moderate legislation.

Mr. HUMPHREY. I thank the Senator.

Mr. President, repeatedly in my remarks in reference to this legislation, throughout the country and on this floor, I have paid high tribute to the sincerity of purpose, to the arguments, and to the character of those who were in opposition. I have said repeatedly that we have always known where certain Members of the United States Senate have stood on this issue. I have never once made an accusation as to what I consider to be their honesty in taking their particular position.

I have made an appeal for fair-employment-practice legislation because I believe it is needed throughout this country, because I believe it is needed in order that some of the aspirations and goals of American democracy may be realized.

I have appealed for this legislation because I believe it is needed to fortify our foreign policy, and to fortify our foreign policy in the Asiatic world, where it needs great help at this particular moment.

I have appealed for this legislation because I think it makes good economic sense to permit people to have jobs on the basis of their ability, rather than on the irrelevancies of their religion, their national origin, or their particular race.

And I have appealed for this legislation on the basis of the constructive argument that the efforts to damage this legislation by association with Communist doctrine and Socialist programs do not constitute a sound argument.

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. LEHMAN. I wonder whether the Senator from Minnesota has referred to the charge, which was made on a number of occasions yesterday on the floor of the Senate, that this FEPC bill was of Communist inspiration back in 1928 and still today is Communist supported.

Mr. HUMPHREY. I have.

Mr. LEHMAN. The clear inference was that those who support this meritorious bill have, in some way, some sympathy with Communist doctrine.

I am wondering whether the distinguished Senator from Minnesota realizes that in the State of New York, the Governor of the State has declared himself strongly in favor of this bill; a former great Governor of New York, who later became President of the United States, Franklin Delano Roosevelt, declared himself strongly in favor of this bill; and my colleague, the senior Senator from New York [Mr. Ives] and I have both declared ourselves strongly in favor of this bill.

It was brought up in every political campaign in the State of New York, as far back as my memory goes, within the past decade or more.

I have no hesitation whatever in saying that if the question were directly put to my fellow citizens in the State of New York, "Are you in favor of an FEPC bill or are you against it?" at least 80 percent of the voters of the State of New York would declare themselves in favor of the FEPC bill; and very few of the citizens of the State of New York are Communists or Communist sympathizers.

I wanted to make that very clear, and I wish to say that I think the Senator from Minnesota is entirely correct and within his rights and is justified in doing so when he brings to light the accusation by innuendo, by implication, which has been made, namely, that those who favor the FEPC bill are Communists or Communist sympathizers.

Mr. HUMPHREY. I wish to thank the Senator.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. HOLLAND. I am sorry, Mr. President, that the distinguished junior Senator from New York has read into the arguments of yesterday matters which not only were not there, but were specifically excluded by the Senators who participated, as did the junior Senator from Florida, in making the true charge that the original source of the suggestion that a Government agency be set up to control employment practices was a plank in the Communist Party platform of 1928. We likewise said that in the State of California the Committee on Un-American Activities there had very clearly made it to appear and had conclusively found that a majority of the members of the committee sponsoring the FEPC effort in that State in 1946 were Communists. But I assure the Senator from New York, of whom I am extremely fond, as I believe he knows, that, so far from making any imputation of guilt by association or tinge of red by community of interest, the Senators who made that charge made it very clear—in fact, their statements to that effect were quoted in part by the Senator from Minnesota but a few moments ago—that by no manner of means were we imputing to the many fine citizens of both parties who now support FEPC any association or sympathy or community of interest with communism. We suspect that they would be happier than anyone else if the fact could be forgotten that the real origin of FEPC was as truthfully stated by us yesterday—and no one can successfully controvert that statement.

Mr. LEHMAN. Mr. President, will the Senator yield for a statement?

The PRESIDING OFFICER (Mr. Ives in the chair). Does the Senator from Minnesota yield to the Senator from New York?

Mr. HUMPHREY. I yield.

Mr. LEHMAN. I thank the Senator, indeed, for his expression of regard for me, and I can assure the Senator from Florida that that regard is sincerely and wholeheartedly reciprocated. I made my statement merely because I felt that

the speeches which I heard on the floor yesterday were not made for the purpose of historical reference but in order to influence the votes and the thinking of Senators on this floor, and, in order to do that, what I considered a clear implication that those who favored the FEPC bill were in some way Communists or Communist sympathizers was made pretty clear. I am very glad indeed, though, to have this assurance of the distinguished Senator from Florida.

Mr. HUMPHREY. Mr. President, I should like merely to make a note of the fact that on page 7094 of the RECORD of yesterday, the Senator from Florida had this to say:

However, in the case of other States which have voted against FEPC legislative proposals, certainly there would be court trials and court appeals; and we would hope there would be, because only in that way, if such legislative proposals were enacted, could we knock down this un-American proposal which threatens the lives and liberties of all the people of the United States.

I merely place that in the RECORD.

In reference to this proposal, since the junior Senator from New York has made reference to the issue of Communist support, yesterday I placed in the RECORD a list of the religious organizations in this country that had endorsed this bill and had testified in its behalf. I think it is important that that list be made part of the record:

The General Conference of the Methodist Church.

The Presbyterian Church in the United States of America.

The Northern Baptist Convention.

The General Council of the Congregational Christian Churches.

The General Synod of the Evangelical and Reformed Church.

The Negro Protestant churches on record for FEPC include the four leading denominations—the National Baptist Convention, the African Methodist Episcopal Church, the African Methodist Episcopal Zion Church, and the Colored Methodist Church. Dr. Cavert of the Federal Council of Churches indicated only two exceptions to this statement of the views of American Protestantism, namely, the Southern Baptists and the Presbyterian Church in the United States, Southern.

I went on to point out that leaders of American Judaism have joined the Christian clergy in pointing to the spiritual and moral need and foundation for this bill. Rabbi William F. Rosenblum, president of the Synagogue Council of America, told a subcommittee of the Senate committee:

It is natural that religious groups should come strongly to the support of any measure which puts into practice the fundamental principle that we have "one Father and that one God made us all \* \* \*."

However, it is not merely from the theological point of view that we feel strong effort must be made against discrimination, but from the more practical aspect of preserving the rights of our citizens and especially of furthering the aims of our form of government.

Mr. President, it appears to me that that is not un-American. It appears to me that people who have devoted their lives to a spiritual understanding recognize the logical base of this legislation, and it appears to me, by the fact that we accept the doctrine of human equality—"We hold these truths to be self-evident, that all men are created equal"—that this proposed legislation is anything but un-American, but, on the contrary, is definitely within the American tradition, and surely within the principles of democracy.

I conclude my statement by pointing out that to me the argument we have heard pertaining to bringing up this bill does not get to its merits. I have asked and I continue to ask, the Members of the United States Senate to support the petition for cloture. I ask the Members of the United States Senate to support that petition, whether they are for FEPC or not, because it is of the utmost importance to the American people, who were promised by two political parties and by a host of spiritual, educational, and political leaders that this legislation would be brought to a vote, that the United States Senate permit that vote to be taken.

The arguments which have been used are not arguments against the merits of the bill. The arguments which have been used are arguments for delay. I submit that at this time American democracy needs to have constructive effort made in legislative proposals. We need to meet these issues head on. We need to be able to study the pros and cons, for there are two sides to these issues, and honest differences of opinion. But those differences of opinion can never be clearly and effectively stated so long as we find ourselves in a parliamentary situation such as now prevails.

I submit, Mr. President, that if this Nation can enter upon a great and broad Marshall plan without an argument as to whether we should take up the bill, if we can enter into Federal aid to education, if we can have a program embracing more than a billion dollars for rivers and harbors development, if we can have a program that embraces broad price-support legislation for American agriculture, if we can have programs that enter into the school system of America for vocational education and medical education, if we can debate on the floor of the Senate a bill which affects the lives of every young man and every young woman in the land, such as selective service, without ever once having a moment's debate as to whether such legislation should be considered, we ought to be able to get the FEPC bill before the Senate without the parliamentary maneuvering which is very evident on the floor of the United States Senate.

Therefore, regardless of whether one is for the proposed legislation or against it, I appeal to the Senate to give the people of America the opportunity to see their Senate, the greatest deliberative body in the world, vote upon one of the most controversial issues of our time, for only in that manner can men stand up and be registered, and stand up and

be counted as to whether they are for it or against it.

Mr. President, earlier in the debate I asked that certain material which I had prepared analyzing this bill, a factual analysis of it, its purposes, its intent, be incorporated in the Record following my remarks. I was given unanimous consent that that be done.

The PRESIDING OFFICER. The present occupant of the chair is advised that, without objection, it was so ordered.

(See exhibit 1.)

Mr. HUMPHREY. I know that in looking over this material my colleagues in the Senate will find answers—straightforward, constructive answers—to some of the charges which have been made. They will find answers, if you please, to what I consider to be a misinterpretation of some of the purposes of this bill.

#### EXHIBIT 1

STATEMENT BY SENATOR HUBERT H. HUMPHREY ON S. 1728, FAIR EMPLOYMENT PRACTICE ACT

Mr. President, on January 5, 1949, the President of the United States, in his state of the Union message, recommended that the Congress establish a Fair Employment Practice Commission to prevent unfair discrimination in employment. He said:

"We in the United States believe that all men are entitled to equality of opportunity. Racial, religious, and other invidious forms of discrimination deprive the individual of an equal chance to develop and utilize his talents and to enjoy the rewards of his efforts."

"Once more I repeat my request that the Congress enact fair-employment-practice legislation prohibiting discrimination in employment based on race, color, religion, or national origin. The legislation should create a Fair Employment Practice Commission with authority to prevent discrimination by employers and labor unions, trade and professional associations, and Government agencies and employment bureaus. The degree of effectiveness which the wartime Fair Employment Practice Committee attained shows that it is possible to equalize job opportunity by Government action and thus to eliminate the influence of prejudice in employment."

This recommendation followed the report of the President's Committee on Civil Rights. Here, in the most careful study on civil rights ever made in America, a nonpartisan group of distinguished citizens representing all segments of American life, declared: "A man's right to an equal chance to utilize fully his skills and knowledge is essential."

The committee recommended the enactment of a Federal Fair Employment Practice Act prohibiting all forms of discrimination in private employment based on race, color, creed, or national origin.

Bills to achieve this end have been introduced in the Seventy-eighth, the Seventy-ninth, the Eightieth, and the Eighty-first Congresses. Hearings were held in the Senate in the Seventy-eighth, the Seventy-ninth, and the Eightieth Congresses.

Last year, identical bills were introduced in the Senate and in the House.

Hearings were held in the House. Testifying in opposition to the bill were five Members of the House and one private individual. Testifying in favor of the bill were 13 Representatives, 3 Senators, and the Secretary of Labor; various State commissioners of local FEPC's, and former staff members of the wartime Federal FEPC; the Catholic Church, Federal Council of Churches of Christ in America, National Baptist Convention, National Fraternal Council of Negro Churches, American Friends Service Committee, Methodist Church, and the Synagogue

Council of America; American Civil Liberties Union; CIO and A. F. of L.; NAACP and Urban League; Americans for Democratic Action and Students for Democratic Action; Improved BFOE of the World; American Jewish Committee; American Jewish Congress; American Veterans Committee; Jewish War Veterans; National Council of Jewish Women; Jewish Labor Committee; Japanese-American Citizens League; National Community Relations Advisory Committee.

During the course of the 10-day hearing, a subcommittee of the House of Representatives heard some 78 witnesses and compiled 563 pages of printed testimony.

Numbered among the organizations testifying are the Federal Council of Churches of Christ in America, composed of 25 leading Protestant denominations with a membership of 25,000,000; the United Council of Churchwomen, composed of some 66 Protestant denominations representing 10,000,000 women; the Council of Negro Churches in America, representing over 6,000,000 members, the Catholic Interracial Councils, and the Synagogue Council of America, comprising the Orthodox, Conservative, and Reformed branches of Judaism.

The two great American labor bodies, the American Federation of Labor and the Congress of Industrial Organizations, representing approximately 15,000,000 American wage earners, united in support of FEPC in recognition of the fact that the denial of equal job opportunities to any group of workers threatens the hard-won standards of all workers. Altogether, the witnesses for these and the many other civic, veterans, racial and ethnic organizations who appeared before the committee, are reliably estimated (after discounting the overlapping of the various organizations) to represent upward of 65,000,000 of our citizens.

The need for FEPC legislation is clear and unmistakable. The pattern of discrimination in America is threatening the fabric of our democratic life. The pattern of economic discrimination in America is a threat to the welfare of our society. S. 1728 has for its purpose the establishment of economic opportunity.

The need for FEPC legislation is urgent. Discriminatory employment practice throughout the United States is widespread. Today, with unemployment a constant threat, the fear of discriminatory discharges weighs heavily upon all who have ever known the frustration and bitterness of job discrimination. I refer to 28,000,000 Catholics, 15,000,000 Negroes, 5,000,000 Jews, 3,000,000 Americans of Mexican or Spanish origin, 11,000,000 foreign-born, and 23,000,000 children of foreign-born. This insecurity and fear on the part of Americans who have contributed to the welfare and the defense of our country is well-grounded.

Recent statistics compiled by the Bureau of the Census reveal that whereas unemployment among whites increased 176.4 percent between July 1945 and April 1949 there was an increase of 280 percent in unemployment among nonwhites during the same period. The Census Bureau concluded that because of the tendency to lay off Negroes before whites, and because of the relative lack of skill required in jobs usually assigned to them, Negroes will suffer an increasingly higher percentage of unemployment in any recession that may overtake us.

In my own city of Minneapolis, a self-survey conducted by the mayor's commission on human relations found that Jews, Negroes, Japanese-Americans, and other minority group members were widely discriminated against by employers. Of 523 Minneapolis firms from which reports were tabulated, 63 percent hired no Jews, Negroes or Japanese-Americans; 37 percent hired one or more Jews, Negroes and/or Japanese-Americans; 13 percent hired Jews only; 5 percent



hired Negroes only; 2 percent hired Japanese-Americans only; 9 percent hired Jews and Negroes; 3 percent hired Jews, Negroes, and Japanese-Americans.

The record of House hearings is replete with additional evidence that economic discrimination in America is a serious threat. In virtually every section of America qualified workers are being denied the opportunity to make a living solely because of their race, color, religion or national origin.

Discrimination in employment, however, does not merely contribute to a growing insecurity in America; it also is a threat to the welfare of our economy. To remove discrimination in employment is not merely to be consistent with the basic principles of morality and justice, but is to serve the best self-interests of the American economy.

Discrimination in employment is nothing more than a waste of human resources. Our economy, to fulfill its productive capacity, must utilize the human resources of its citizens to their fullest extent. When a skilled mechanic is unable to assume his rightful place as a member of his craft, simply because of his color, the community suffers. It suffers not only because his skill as a mechanic is not utilized by the economy, not only because his education and training is wasted, but also because a man who cannot earn, cannot take his rightful place as a consumer in our society. A community of workers discriminated against in employment is also a community of consumers who discriminate against the purchase of goods and services. When the average salary of a Negro teacher in a school is 60 percent that of a white teacher, quite obviously that Negro teacher provides only three-fifths of the economic stimulation to our economy of which he is capable.

The factors add up to an enormous cost to any area where a large segment of the population is discriminated against. In a commencement address to last year's graduating class of the University of Miami, Ralph McGill, editor of the *Atlanta Constitution*, declared:

"The South, as it sees its agricultural economy changing and industry coming, surely is not so blind it fails to see that the industrialization will not be a complete regional success until the Negro is integrated into it, using what skills he has on equal terms and wages."

The States which had a per capita income of only \$300 in the boom year of 1940 were those in which discrimination was greatest, whereas the income for more democratic States was the highest per capita in the country, averaging \$800. There have been responsible estimates that the total cost of discrimination in our country is more than \$15,000,000,000 a year.

The House report on FEPC well points out that discrimination in employment keeps in motion a vicious cycle in our economy. It depresses the wages and income of minority groups and, because of competition for jobs by these groups, exerts a downward drag on all wages. As a result, purchasing power is curtailed and markets reduced. Reduced markets result in reduced production. This cuts down employment which, of course, means lower wages and still fewer job opportunities. In the absence of effective standards of fair employment, rising fear, prejudice, and insecurity aggravate the very discrimination in employment which sets the vicious cycle in motion.

It is not possible to indicate precisely the dollar and cents cost of certain aspects of discrimination. When jobs are denied because of race, color, religion, or national origin, the group affected is forced to a lower economic level, a lower level of health, of housing, and of education. The Negro's average life is 10 years shorter than that of the white population. Three times more Negro

than white women die in childbirth. Illness and disease do not confine themselves conveniently within color groups. Wherever the death rate for the Negro is highest, so too does the death rate rise for the members of the white race. In those States in which infant mortality among the Negroes is greatest, the deaths of infant white children are greatest. We who dare not estimate the value of a single life should ponder this incalculable and appalling cost to our society.

The problem of FEPC is more than an economic problem, however. It is also a psychological and a social problem. I want to bring to the attention of the Senate the testimony of a very distinguished judge, Hon. Stephen S. Jackson, who for 10 years was a judge of the children's court and director of the bureau for prevention of juvenile delinquency in New York. We must remember, as I am sure those of us with children will, that when children are shut up for any length of time with nothing to do, they are quite likely to become boisterous and irresponsible. When adults, mature men and women, are deprived for long of useful work for their hands and their minds solely because of their color or manner of worship, they are just as likely to become irresponsible and impatient with the social order in which they live.

I quote from Judge Jackson:

"Over and over again I have found in the mental and emotional make-up of these children a strong, bitter sense of hostility and resentment against society. A society which glibly prated of equality to all but which in practice turned an unfriendly, unfair, and unyielding hand against the child and his fellow Negroes; a society which had caused him and his family to be relegated to the relief rolls because, too often, the breadwinner of the family was the first to be dropped and the last to be hired in employment because he was a Negro. \* \* \* One does not have to be an expert in the field of psycho-social analysis to appreciate the force of the emotional trauma of such crass injustice on a child whose father is in such enforced idleness, or the 18 youths who left the portals of their alma mater with enthusiastic anticipation. Is it strange that such youngsters might develop a hostility to society? Is it not quite understandable that such young people might become, in its literal sense, antisocial? An antisocial attitude, when translated into overt, specific acts, is less euphemistically characterized as crime and delinquency. Ironically enough, many of those who decry the so-called crime wave among Negro youth are probably among the foremost in opposition to this very bill."

The existence of discrimination in America is therefore unmistakable. The evil effects of employment discrimination in America is unmistakable. The need for FEPC legislation is unmistakable.

Those of us who support S. 1728 are under no illusions that the enactment of our bill will bring a rapid solution to the problem. FEPC will, however, minimize the problem of economic discrimination. Enactment of our bill may not eliminate prejudice, but it will establish as a national policy that, although prejudice may be personal, discrimination is not.

Experience with State and municipal FEPC ordinances prove that FEPC is effective. It is effective primarily because it establishes a policy that decent, humanitarian Americans are perfectly willing to conform to a humanitarian and democratic policy. I am pleased to place in the Record a 2-year report on the operation of the FEPC in my own city of Minneapolis. It covers the operation of the FEPC from June 1, 1947, to June 30, 1949.

FEPC ordinances now prevail in Cincinnati, Ohio; Chicago, Ill.; Milwaukee, Wis.; Philadelphia, Pa.; Minneapolis, Minn.; Phoenix, Ariz.; and Cleveland, Ohio. There

is now a total of 10 States which have FEPC laws on their statute books: Connecticut, New Jersey, Indiana, Massachusetts, New York, Wisconsin, New Mexico, Oregon, Rhode Island, and Washington.

These local and State attempts to solve the problem of discrimination are to be commended. They are effective. They demonstrate the basic desire of the American people to eliminate the scourge of employment discrimination from their midst. They receive popular support wherever they operate. They have allayed all previous fears as to their operation. They prove conclusively that FEPC can work.

I am pleased that in S. 1728, the bill we are now asking the right to consider; that State and local governments have an important role to play in promoting fair employment and in cooperating with the Federal Government toward achieving that end. Under the terms of our bill, jurisdiction over discriminatory cases would be transferred to State and local agencies where those agencies are operating effectively.

The evidence is clear, however, that State and municipal FEPC laws by themselves, important and effective as they are, cannot adequately solve the problem. National legislation is necessary to provide national standards of decency and fair play. The Federal Government has an obligation to establish a national pattern and a basic standard of employment rights for all Americans.

Discrimination does not recognize State boundaries, just as employment does not recognize State boundaries. We have on many occasions established the principle of Federal employment legislation. We can do no less in the realm of human rights as it affects employment.

We have said that employers may not hire children because we need an educated America. We have said that employers must provide safety measures because we need a healthy America. We must now say that employers may not discriminate against qualified workers because of race, color, religion, or national origin, because we need a unified, prosperous, and democratic America.

S. 1728 is particularly noteworthy in this connection in that it recognizes that the Federal Government cannot effectively and should not extend its jurisdiction to all areas of employment. The bill, therefore, will not only limit its operation to interstate employment but also has a size limitation in that it is limited to those employers with 50 or more employees.

There is one other area, important in its own right, in which S. 1728 will have an effect. The Federal Government is today the largest single employer of labor in America. Approximately 2,000,000 persons are now on its payroll. Only a Federal FEPC will provide these workers with the protection to which they are entitled.

In my testimony before the House of Representatives on May 11, 1949, I pointed to the fact that the Federal Government in 1948 spent more than \$6,000,000,000 in direct expenditures for employment. In addition to the approximately 2,000,000 workers on the Federal payroll, an average of 175,000 persons were employed by private contractors on construction projects financed either in whole or in part by Federal funds, amounting to \$1,900,000,000. This estimate does not include Federal loans such as REA-financed projects and the employment resulting from them.

Furthermore, even though exact data is not available, partial data as a result of the Walsh-Healey Public Contracts Act, which provides for the inclusion of stipulations with regard to pay, hours, and working conditions in Federal Government contracts, is available. The estimate by the Public Contracts Division of the Department of Labor

is that contracts awarded under the act during 1948 amounted to \$2,900,000,000.

The volume of expenditures estimated by the Division of Public Contracts resulted in a direct employment of approximately 550,000. However, for most employers, Government contracts constitute only a small portion of their business. Consequently, the Public Contracts Division estimated in 1941 that 5,000,000 persons were affected by the act during that fiscal year; no estimates have been made since then, however.

Sufficient data are not available to permit a total estimate of the State and local employment arising from Federal-State joint programs and other grant-in-aid programs financed either in part or entirely by Federal funds. Federal grants-in-aid amounted to \$1,500,000,000 in the fiscal year 1948 and nearly \$2,000,000,000 in fiscal 1949. Much of these funds were for individual beneficiaries, such as the recipients of public assistance; of the funds which go into administrative expenses, some are used for payrolls at the State level, but a considerable amount trickles down to the county and local levels.

After consulting with staff members in the agencies which are the most concerned with Federal-aid programs, it is our estimate that, outside of the field of construction, there are 200,000 persons in the employ of State and local governments who are paid in part or in entirety from Federal funds.

There can be no question, therefore, but that the Federal Government has a responsibility to deal legislatively with the growing problem of employment discrimination in America.

The only reasonable question that remains is the question as to the extent and the need for enforcement powers within the legislation. Without in any way detracting from the importance of education and persuasion in solving the problem of discrimination, I want to make it very clear that to rely solely on education is insufficient. Legislation itself, in fact, is an educative process.

Legislation is one of the most powerful instruments for education. To enact FEPC legislation is to indicate that public policy is opposed to racial or religious discrimination. Furthermore, I am proud that S. 1728 relies extensively on the educative process. It is through the use of investigation, conference, conciliation, and community organizations that the FEPC Act would in the main operate.

To establish a law without a penalty, however, is fruitless. We must recall the words of Daniel Webster, who said: "A law without a penalty is simply good advice."

Discrimination in America has world-wide repercussions as well, Mr. President.

We have fewer than half a million American Indians; there are 30,000,000 more in the Western Hemisphere. Our Mexican American and Hispano groups are not large; millions in Central and South America consider them kin. We number our citizens of oriental descent in the hundreds of thousands; their counterparts overseas are numbered in the hundreds of millions; throughout the Pacific, Latin America, Africa, the Near, Middle, and Far East, the treatment which our Negroes receive is taken as a reflection of our attitudes toward all dark-skinned peoples. In a letter to the House Committee, Secretary of State Dean Acheson has attested that "the existence of discriminations against minority groups in the United States is a handicap in our relations with other countries" and John Foster Dulles, United States delegate to the United Nations, has urged enactment of Federal fair employment practice legislation in order to "erase what today is the worst blot on our national escutcheon."

In our foreign policy the United States stands committed to a policy of nondiscrimi-

nation. As a participant in the Inter-American Conference in Mexico City on March 6, 1945, we joined with other nations in a resolution recommending that the participating governments "make every effort to prevent in their respective countries all acts which may provoke discrimination among individuals because of race or religion." In signing the Charter of the United Nations at San Francisco, and in the subsequent ratification of that Charter by the United States Senate, we undertook to promote "universal respect for and observance of human rights and freedoms for all without distinction as to race, sex, language, or religion" (art. 1, par. 3). And we are morally bound to secure for our own citizenry those rights and freedoms, including the right to work, which under the leadership of the United States delegate, have been incorporated into the Universal Declaration of Human Rights proclaimed by the general assembly of the United Nations.

Every act of discrimination here in America is seized upon by our enemies as proof that we in the United States do not really believe in democracy. We owe it to ourselves. We owe it to the teeming millions in Europe who yearn for freedom. We owe it to our heritage to deprive our totalitarian enemies of that weapon. We owe it to our own security to demonstrate to the world that the democratic ideal remains ours—that the United States is indeed the land of opportunity and that the mantle of freedom and liberty has its rightful place on our shores.

#### APPENDIX

##### CITY OF MINNEAPOLIS FAIR EMPLOYMENT PRACTICE COMMISSION—2-YEAR REPORT ON OPERATIONS, JUNE 1, 1947-JUNE 30, 1949

The Minneapolis fair-employment-practice ordinance was passed by the city council on January 31 and became effective on February 5, 1947. The commission members were appointed by Mayor Hubert H. Humphrey and were confirmed by the city council on May 9. The commission held its first meeting on June 2, 1947. The first complaint of discrimination was presented to the commission on June 19.

The commission had no budget or staff during 1947. The nine complaints of discrimination handled during the last 6 months of that year were investigated by Wilfred C. Leland, Jr., whose services were loaned by the mayor's council on human relations for that purpose. These complaints were adjusted by the commission members, who also filled a considerable number of requests to discuss the commission's work with labor, business, and civic groups.

The commission received an appropriation of \$3,475 from the city council for 1948 which enabled it to employ an executive director on approximately a quarter-time basis and to finance a limited amount of clerical and educational work. In 1949 the commission was granted an appropriation of \$6,693, which enabled it to use the executive director's services a little more than half-time and to pay for some additional clerical and educational work.

During the 2-year period from June 1, 1947, through June 30, 1949, the commission has adjusted some 75 complaints of discrimination in employment. In approximately 45 percent of these cases a favorable settlement has been achieved and the complainant either obtained the position he was seeking or was satisfied with the commitment made by the party charged to follow a policy of nondiscrimination in the future.

About 23 percent were dismissed because no discrimination was found. In these cases the commission determined that the complainant was denied the opportunity sought for some valid reason other than his race,

religion, national origin, or ancestry. In most of these cases the commission also found positive evidence that the party charged was carrying out a policy of hiring on merit and without discrimination.

Approximately 11 percent of the cases were dismissed for the reason that the commission lacked jurisdiction because the employment was outside the city of Minneapolis, was in domestic services, or was by an employer with less than two employees, or by an organization limited in its membership to persons of a single religious faith.

In approximately 11 percent of the cases, a final determination could not be made as to whether or not discrimination had been practiced. Action on these cases was deferred pending further evidence of violation or compliance. The remaining 11 percent of the cases were still in the process of adjustment by the commission on June 30, 1949.

In about 65 percent of the cases, it was alleged that discrimination was practiced because the complainant was a member of the Negro race. Approximately 23 percent claimed discrimination against people of the Jewish faith. In approximately 4 percent of the cases the complainant was of the American Indian race and in 1.3 percent, the complainant was of Japanese ancestry. In the remaining three cases, it was alleged that discrimination had been practiced because the complainant was not a Lutheran, not a Jew, or not a Catholic.

Of the parties charged with discrimination, private employers made up about 83 percent of the total, Government agencies made up about 12 percent, and labor unions and employment agencies about 3 percent each. A further analysis of the parties charged revealed that about 30 of them were in the service industries, including such establishments as hotels, beauty shops, dry cleaners, laundries, and restaurants. Twelve of the parties charged were manufacturing concerns, 10 of them were insurance and finance companies, 4 were construction contractors, 4 were retail stores, and 2 were wholesale distributors. There were six complaints against local government agencies, three against Federal agencies and one against a State government office. As suggested above, two were against labor unions and two were against employment agencies.

In about 79 percent of the cases, the complaint was based upon refusal to hire. About 8 percent were concerned with working conditions, wages or up-grading, 7 percent involved discharge, 3 percent of the cases were based upon refusal to register and refer and another 3 percent on temporary suspension from work. One case was based upon denial of opportunity for apprenticeship training. (See statistical summary attached.)

In addition to the cases handled since it began operations in June 1947, the Commission has reviewed and corrected discriminatory items on the application for employment forms of 41 additional employers. The Commission members spent a total of 25 hours in the 20 meetings which they held during 1948, and a total of 23 additional hours in the 11 meetings which they held in the first 6 months of 1949 working to correct problems of discrimination in employment.

The executive director addressed over 30 meetings of civic, business, labor, and student groups and the commission members themselves addressed a substantial number of other community organizations. The executive director and individual commission members have also held over 100 personal conferences with city government officials, with workers in other intergroup relations agencies and with representatives of business, labor, and employment agency organizations to work out programs for employing qualified workers on merit and without discrimination.



**Minneapolis Fair Employment Practice Commission—Cases handled from June 1, 1947, to June 30, 1949**

	Number	Per- cent
<b>DISPOSITION OF CASES</b>		
Dismissed because—		
Commission lacked jurisdiction.....	8	10.7
No discrimination found.....	17	22.6
Favorable settlement achieved by—		
Satisfactory adjustment with complainant.....	6	8.0
Commitment to follow nondiscrimination policy.....	28	37.3
Action deferred pending—		
Further action by party charged.....	8	10.7
Further investigation by commission.....	8	10.7
<b>Total.....</b>	<b>75</b>	<b>100.0</b>
<b>NATURE OF CASES</b>		
Discrimination because complainant was—		
Of the Negro race.....	51	68.0
Of the American Indian race.....	3	4.0
Of the Japanese ancestry.....	1	1.3
Of the Jewish ancestry.....	17	22.8
Not a Lutheran.....	1	1.3
Not a Jew.....	1	1.3
Not a Catholic.....	1	1.3
<b>Total.....</b>	<b>75</b>	<b>100.0</b>
Party charged was—		
Private employer.....	62	82.7
Government agency.....	10	13.3
Labor union.....	2	2.7
Employment agency.....	1	1.3
<b>Total.....</b>	<b>75</b>	<b>100.0</b>
Complaint based upon—		
Refusal to hire.....	49	78.6
Discharge.....	5	6.7
Working conditions, wages or up-grading.....	6	8.0
Denial of training opportunity.....	1	1.3
Refusal to register and refer.....	2	2.7
Temporary suspension.....	2	2.7
<b>Total.....</b>	<b>75</b>	<b>100.0</b>

**ANALYSIS OF OPERATING EXPERIENCE, CITY OF MINNEAPOLIS FAIR EMPLOYMENT PRACTICE COMMISSION**

Technique of handling a case: We have accepted and investigated complaints of discrimination brought to us by the Urban League, the Minnesota Jewish Council and the social workers dealing with American-Indian and Japanese-American groups in Minneapolis. We have also investigated problems of discrimination brought to our attention by any individuals in the community having a knowledge of such problems, whether or not they themselves have been the victims of discrimination.

We endeavor to take immediate action on a complaint as soon as it is brought to our attention. We find that our chances for obtaining a satisfactory adjustment of the problem are much better if it is brought to our attention immediately after it arises and if we take immediate action on it.

Relations with parties charged: As soon as the complaint of discrimination is received, the executive director calls by phone the individual who is charged with the discriminatory practice and seeks to arrange for a personal interview with him at the earliest possible time. In carrying out that interview, the executive director uses the nondirective technique to as great an extent as possible. He usually opens the interviews with a statement of the commission's responsibilities and a brief outline of the problem which has been presented to it. He then encourages the party charged to talk as freely as he will about both this specific problem and the general principle of employment on merit.

The result of this approach is normally to bring forth from the party charged a statement of his belief in the principle of employment without discrimination. The

remainder of the interview is devoted to seeking ways in which the particular problem presented to the commission can be resolved in terms of this principle. This procedure normally results in as favorable an adjustment of the specific complaint as can be worked out and in an agreement to carefully follow a policy of nondiscrimination in the future.

Enforcement powers: The three principal barriers which sometimes prevent a satisfactory adjustment being achieved by the interviewing procedure outlined above are: (a) the fact that the job has already been filled and the employer is reluctant to displace the worker already hired by hiring the person who brought the complaint, or (b) the employer fears an unfavorable reaction from his employees, or (c) the employer fears an unfavorable reaction from his customers.

When faced with refusal to comply with the ordinance for one of these reasons, the executive director calls in one or more of the commission members to attempt further conciliation of the case. In some cases, the party charged has been invited to attend an informal session of the entire commission to discuss the problem and to seek a solution.

If these initial efforts at conciliation fail, the commission makes it clear to the party charged that its next responsibility is to schedule a public hearing at which the facts in the case would be publicly presented and the party charged would be given an opportunity to present his side of the problem. In one or two cases, the prospect of such a hearing has been used successfully to persuade the party charged to satisfactorily adjust the complaint. However, most employers have worked constructively with the commission to overcome any barriers which they believed might stand in the way of employment of minority workers in accordance with their skills. Therefore, the instrument of a public hearing or the penalties of fine and imprisonment which could be applied through court action have never been used. However, the commission believes that these enforcement powers are necessary in order to make sure that the party charged will give serious attention to the complaint and will work constructively with the commission in adjusting it.

Relations with complainant: Prompt and sympathetic attention to each complaint has resulted in establishing a favorable and friendly relationship with most of the complainants. However, in most cases, the person bringing a complaint of discrimination to the commission no longer wants to secure employment with the employer complained against. In the majority of cases, the complainant tells the commission that he would like to have the policy of the party charged corrected for the sake of future applicants, but that he does not want the job himself because he believes that the employer is prejudiced. This has created a serious problem in securing a satisfactory adjustment of the case. In such cases, the best the commission can do is to get a commitment from the employer that he will not discriminate in the future and then to put the case in an "action deferred" category to await positive proof that the employer has corrected his discriminatory policy. In those cases where the complainant has been willing to press the charge, the commission has been reasonably successful in securing a satisfactory adjustment of the complaint.

In those cases where investigation has proved that the original charge of discrimination was not justified, the complainant has usually accepted this finding with good grace and has expressed appreciation to the commission for clearing up his suspicion of discrimination. In order to make a finding of nondiscrimination, the commission has normally required both proof that the refusal of employment was based on some valid

consideration other than race, religion, national origin or ancestry, and positive demonstration that the party charged has employed members of the same group as the person making the complaint and at comparable levels of status and skill.

Effects of commission's work: The most important effect of the passage of the ordinance and the establishment of the commission has been to focus the attention of the major employers in Minneapolis on their employment practices in regard to the members of different racial, religious, and nationality groups. When employers do review their practices, they inevitably conclude that employment on merit is the only sound policy. When they examined the record, they find that other firms have employed minority workers without any serious objections from other employees or customers. Thus, any fears they may have on this score are proved to be without foundation. The clear statement of a public policy of nondiscrimination in employment, and the establishment of the commission with enforcement powers, have proved to be powerful instruments with which to overcome the ignorance and apathy which have been the principal barriers to the employment of qualified workers simply on the basis of their ability to do the job. Employment opportunities in retail and wholesale trade in manufacturing and in office and clerical jobs have been significantly expanded for minority workers by voluntary changes in policy by a great number of important employers entirely apart from any specific complaints of discrimination handled by the commission.

During the delivery of Mr. LONG's speech,

Mr. HUMPHREY. I should like to ask whether the Senator will yield for a unanimous-consent request in order that I may have a statement incorporated at the conclusion of my remarks pertaining to the motion to take up the FEPC bill. It is a statement from the Legislative Reference Service of the Library of Congress, in reference to the reapportionment of State legislatures, an item which was brought to the attention of the Senate on yesterday.

Mr. LONG. Mr. President, I ask unanimous consent that I may yield to the distinguished junior Senator from Minnesota without prejudice to my rights on the floor of the Senate.

The PRESIDING OFFICER (Mr. STENNIS in the chair). Is there objection to the request of the Senator from Louisiana? The Chair hears none, and it is so ordered.

Mr. HUMPHREY. Mr. President, in a colloquy between the junior Senator from Minnesota and the junior Senator from Florida, later on entered into by the junior Senator from California, there was reference made to the reapportionment of State legislatures. At that time the junior Senator from Minnesota said he would request of the Legislative Reference Service of the Library of Congress factual information as to the reapportionment of legislative bodies within the past 50 years or more. That information was made available to me late this afternoon.

I therefore ask that, following my remarks pertaining to the motion of the Senator from Illinois [Mr. Lucas] to proceed to the consideration of the bill (S. 1728) to prohibit discrimination in employment because of race, religion, or national origin, this information, in the

form of a letter dated May 17, 1950, from the Library of Congress, be incorporated.

Mr. MAYBANK. Mr. President, a point of order.

The PRESIDING OFFICER. The Senator will state it.

Mr. MAYBANK. I understood the Senator from Louisiana yielded for a question.

Mr. LONG. No, I asked unanimous consent that I might yield, without prejudice to my rights, in order that the Senator could make an insertion in the RECORD.

Mr. MAYBANK. As acting majority leader, at the moment, I wished to avoid any unnecessary trespass upon the time of the Senator from Louisiana, who is making a very fine speech. I hope he will not yield further for insertions.

Mr. LONG. I may say to the Senator from South Carolina that I yielded only by unanimous consent.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Minnesota? The Chair hears none, and it is so ordered. The remarks will be placed in the RECORD following the remarks of the Senator from Minnesota on the motion to take up the consideration of the FEPC bill.

Mr. HUMPHREY. I thank the Senator from Louisiana.

The letter submitted by Mr. HUMPHREY is as follows:

THE LIBRARY OF CONGRESS,  
LEGISLATIVE REFERENCE SERVICE,  
AMERICAN LAW SECTION,  
Washington, D. C., May 17, 1950.

To Hon. HUBERT H. HUMPHREY, attention Mr. Kampelman.

Subject: Reapportionment of State legislatures.

Although the constitutions of nearly all States require reapportionment of their legislatures, reapportionments range from 1890 to 1948. Only nine States have reapportioned their senate since 1925. Only 19, or less than half of the States reapportioned their lower houses following the 1940 census. One State, South Dakota, adopted a constitutional amendment in 1948 requiring the legislature to reapportion both houses every 10 years.

In Mississippi where reapportionment is provided for in the constitution, the last reapportionment was made by a constitutional convention in 1890. No reapportionment was made in Kentucky from 1893 until 1942 except for an amendment in 1918. There has been no legislative reapportionment in Delaware since 1897. In Illinois and Alabama, the last complete reapportionment was made in 1901. Except for a reapportionment of its lower house in 1941 and some prior amendments, Tennessee had not reapportioned since 1901. Connecticut's constitution established the number of State representatives in 1818 and the number of State senators was established by the legislature in 1903. Oregon reapportioned in 1907 but since then has only reapportioned its senate, that being in 1945.

The council of State governments in 1941 stated the reasons for the lagging in reapportionment of the State legislatures as struggles between rural and urban areas to prevent a shift in the balance of political power, efforts of areas where population has been depleted to retain disproportionate representation, and the size and difficulty of reapportioning itself. \* \* \* Struggles between upstate and downstate political forces are given as the reason for delayed reapportionment in \* \* \* Illinois. The same

reason was given for failure to reapportion in New York from 1917 until 1943.

SAMUEL H. STILL.

#### Action by State since 1940

	Senate	House	Constitutional amendments making reapportionment mandatory
California.....	1941	1941	
Kentucky.....	1942	1942	
Maine.....	1941	1941	
Montana.....		1941	
New Hampshire.....		1942	
New Jersey.....		1941	
New Mexico.....			1942 refused to adopt constitutional amendment.
North Carolina.....	1941	1941	
Oklahoma.....		1941	
South Carolina.....		1942	
Tennessee.....		1941	
Florida.....			1943 refused to adopt constitutional amendment.
Kansas.....		1943	
Michigan.....		1943	
New Hampshire.....		1943	
New York.....	1943	1943	
Missouri.....		1945	
Oregon.....	1945		
California.....			Refused to adopt constitutional amendment to reapportion Senate, 1948. Adopted amendment in 1948 making it mandatory.
Massachusetts.....	1948	1948	
Nevada.....	1947	1947	
South Dakota.....	1947	1947	
Virginia.....	1948	1948	

The following action was taken in the States following the 1940 census:

California reapportioned both senatorial and assembly districts in 1943 after a mandatory constitutional provision had been adopted in 1941. (Laws 1941, p. 3550, res. ch. 143).

Kentucky reapportioned both houses in 1942 (Laws 1942, ex. chs. 1 and 2).

Maine reapportioned both houses in 1941 (Laws 1941, res. chs. 117 and 132).

Montana reapportioned representatives in 1941 (Laws 1941, ch. 37).

New Hampshire by constitutional amendment in 1942 reduced the lower house in size (Const. Conv. Amend. No. 1, November 3, 1942).

New Jersey reapportioned assemblymen in 1941 (Laws 1941, ch. 310).

New Mexico in 1942 rejected a constitutional amendment requiring a reapportionment (Laws 1942, p. 509).

North Carolina reapportioned both houses in 1941 (Laws 1941, chs. 112, 225).

Oklahoma reapportioned representatives in 1941 (Laws 1941, pp. 39-43).

South Carolina reapportioned representatives in 1942 (Laws 1942, No. 602).

Tennessee reapportioned representatives in 1941 (Laws 1941, ch. 58).

Florida in 1943 rejected a proposed amendment to its constitution which would have required a general reapportionment (Laws 1943, p. 1131) and in 1948 a constitutional amendment which would have required a senatorial reapportionment (Laws 1947, p. 1615).

Kansas reapportioned its representatives in 1943 (Laws 1943, ch. 8; amended Laws 1945, chs. 7 and 8).

Michigan reapportioned its house of representatives in 1943 (Laws 1943, No. 228).

New Hampshire reapportioned its house of representatives in 1943 (Laws 1943, ch. 36).

New York had a general reapportionment of senate and assembly districts in 1943 (Laws 1943, chs. 359; amended Laws 1944, chs. 569, 725, 733).

Missouri reapportioned its representatives in 1945 (Laws 1945, p. 1125).

Oregon had a reapportionment of senators in 1945 (Laws 1945, ch. 343).

Wisconsin redistricted districts in one county (Kenosha) in 1945 (Laws 1945, ch. 337).

California in 1948 defeated a constitutional amendment requiring reapportionment of the senate (initiated measure, November 2, 1948).

Massachusetts in 1947 reapportioned its lower house (Laws 1947, ch. 182), and in 1948 reapportioned its senate districts (Laws 1948, ch. 250).

Nevada in 1947 reapportioned both its house and senate (Laws 1947, ch. 189).

South Dakota in 1947 had a general reapportionment of both senators and representatives. In 1948 a constitutional amendment was adopted making a reapportionment mandatory every 10 years beginning in 1951 (Laws 1947, ch. 250).

Virginia in 1948 passed a general reapportionment law redistricting both districts for both the house of delegates and senate (Laws 1948, ch. 40).

The State constitutions require reapportionment at following frequency:

Every 5 years (Kansas, X 2).

Every 10 years (Florida, VII 2; Illinois, IV 6; Kentucky, 33; Michigan, V 4; Ohio XI 1; South Dakota, art III 5, amendment; Tennessee, II 4; Virginia IV 43).

Decennially or when new county established; apportionment not to take effect until general election next succeeding (South Carolina, III 3, 5).

To be made after every United States census (Alabama, IX 199, 200; Georgia, III, sec. II 3; New Jersey, IV, sec. III; Pennsylvania, II 18; Texas, III 28; West Virginia, VI 4).

To be made at first regular session after each United States census (California, IV 6; Louisiana, 18; Mississippi, XIII 256; North Carolina, II 4, 5; Oklahoma, V 9 b).

May be made at session next after completion of United States census (Connecticut, amendment XXXI 2).

To be made at first session after each decennial enumeration of inhabitants made by State (Massachusetts, amendment 21, 22; New York, III 4, 5).

To be made after each enumeration of inhabitants made by State within every period of at most 10 years (Maine, IV pt. I 2).

To be made at session next following enumeration of inhabitants by United States or by State (Arkansas, VIII 4; Maryland, III 5; Oregon, IV 6).

To be made after each United States census or after census taken by State for purpose of such apportionment (senate) (Vermont, II 18).

To be made at first session after United States census, or after State census if United States census not taken every tenth year or delayed (Missouri, IV 7).

May be made by legislature after any new census taken by United States or by State (Rhode Island, amendment XIII 1).

To be made at first regular session held after taking of decennial census by State and after United States census (Colorado, V 45; Iowa, III 34, 36; Minnesota, IV 23; Montana, VI 2; Nebraska, III 2; Utah, IX 2; Washington, II 3; Wyoming, III apportionment 2).

To be made after each decennial enumeration to be made by legislature and also after each Federal census; and at any regular session, legislature may redistrict State and apportion senators and representatives (North Dakota, II 35).

#### REORGANIZATION PLAN NO. 7, 1950

Mr. JOHNSON of Colorado. Mr. President, I move that the Senate proceed to consider the resolution (S. Res. 253) disapproving Reorganization Plan No. 7 of 1950. It is Calendar No. 1575.



The PRESIDING OFFICER (Mr. LEHMAN in the chair). The clerk will state the resolution.

The CHIEF CLERK. A resolution (S. Res. 253), that the Senate does not favor the Reorganization Plan No. 7 transmitted to Congress by the President on March 13, 1950.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Colorado.

Mr. CAIN. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. CAIN. May I inquire of the Senator from Colorado—

The PRESIDING OFFICER. The Chair wishes to point out that the motion is not debatable. Is the question of the Senator from Washington only for information?

Mr. CAIN. Yes; Mr. President.

The PRESIDING OFFICER. The Senator may proceed.

Mr. JOHNSON of Colorado. Mr. President, I call for the regular order.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Colorado, that the Senate proceed to the consideration of Senate Resolution 253.

The motion was agreed to; and the Senate proceeded to consider the resolution (S. Res. 253), as follows:

*Resolved*, That the Senate does not favor the Reorganization Plan No. 7 transmitted to Congress by the President on March 13, 1950.

Mr. JOHNSON of Colorado. Mr. President, I ask that the time on this highly privileged matter be divided equally between the chairman of the Committee on Expenditures in the Executive Departments [Mr. McCLELLAN] and the Senator from Minnesota [Mr. HUMPHREY], who signed minority views opposing the resolution.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CAIN. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield to the Senator from Washington.

Mr. CAIN. I should like to say to the Senator that the suggestion of the absence of a quorum is in order because of the interest of a number of absent Senators in this particular measure. With the permission of the Senator, I should like to suggest the absence of a quorum.

Mr. JOHNSON of Colorado. I am anxious to proceed with the matter. Of course, if the Senator from Washington wants to suggest the absence of a quorum, I shall not object; but I was in hopes that we could proceed. I have noticed that quorum calls sometimes thin out the membership on the floor rather than adding to the number of Senators present.

Mr. CAIN. The junior Senator from Washington is merely acting temporarily in the absence of the minority leader, and, at his request and that of other Senators, I am constrained to suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Hoey	Maybank
Benton	Holland	Mundt
Brewster	Humphrey	Myers
Bricker	Hunt	Neely
Bridges	Ives	O'Connor
Butler	Jenner	O'Mahoney
Byrd	Johnson, Colo.	Robertson
Cain	Johnson, Tex.	Russell
Capehart	Johnston, S. C.	Saltonstall
Chapman	Kefauver	Schoeppel
Connally	Kerr	Smith, Maine
Cordon	Kilgore	Smith, N. J.
Darby	Knowland	Sparkman
Donnell	Langer	Stennis
Douglas	Leahy	Taft
Dworshak	Lehman	Taylor
Eastland	Lodge	Thomas, Okla.
Eaton	Long	Thomas, Utah
Ellender	Lucas	Thye
Ferguson	McCarran	Tobey
Fulbright	McCarthy	Tydings
George	McClellan	Watkins
Gillette	McFarland	Wherry
Green	McKellar	Wiley
Gurney	McMahon	Williams
Hayden	Malone	Withers
Hendrickson	Martin	Young
Hill		

The PRESIDING OFFICER (Mr. GILLETTE in the chair). A quorum is present. The Senator from Colorado may proceed.

Mr. JOHNSON of Colorado. Mr. President, before I proceed, I should like to ask unanimous consent that debate be limited to 3 hours.

The PRESIDING OFFICER. Does the Senator mean a total of 3 hours?

Mr. JOHNSON of Colorado. Yes. I ask that debate be limited to a total of 3 hours, to be divided equally between the proponents and the opponents.

The PRESIDING OFFICER. The Senator from Colorado asks unanimous consent that debate on this proposal be limited to 3 hours, the time to be controlled on behalf of the proponents by the Senator from Arkansas [Mr. McCLELLAN], and on behalf of the opponents by the Senator from Minnesota [Mr. HUMPHREY]. Each side will be limited to 1½ hours of debate.

Is there objection? The Chair hears none, and it is so ordered.

Mr. JOHNSON of Colorado. Mr. President, plan No. 7 is opposed by a majority of the Committee on Interstate and Foreign Commerce, the committee which has jurisdiction over the Interstate Commerce Commission under the Legislative Reorganization Act, of which I have the honor to be chairman. I urge the Senate, therefore, to adopt Senate Resolution 253 disapproving Reorganization Plan No. 7. This plan would vest all administrative and executive authority of the Interstate Commerce Commission in the Chairman of the Commission and give the President the power to appoint that Chairman. It would repeal many vital provisions of the present law respecting that Commission without following the legislative processes provided in the Constitution for enacting laws.

Mr. President, today I shall emphasize my opposition to this plan for at least two compelling reasons. First, it has the effect of making a one-man commission out of the Interstate Commerce Commission. This would be a complete destruction of the democratic safeguards which Congress enacted into law when

it created the Interstate Commerce Commission.

Secondly, by giving the President the right to appoint the Chairman of this all-powerful Commission, we are in effect transferring to the executive branch of the Government control over an agency which was established as an arm of the Congress.

The reorganization plans proposed by the Hoover Commission had as their over-all purpose to promote greater efficiency and more economy in government. It is not claimed, however, that this plan will effect any economy whatever, although with full power over the agency vested in the chairman, they might well have saved the salaries of the other members of the commission by eliminating them entirely. I am in favor of greater efficiency in government as much as any Senator on this floor, but not where it is accomplished at the expense of our liberty and of our democratic institutions. Theoretically, while a degree of efficiency may be obtained by giving administrative control to one man if he be an especially able man, there can be no increased efficiency by giving the President the power to appoint that one man. I challenge the supporters of this outrageous plan to show by what magic a Presidential appointment will save money. No, Mr. President, the object cannot be to save money or promote efficiency by giving this tremendous power over an arm of Congress to the President.

I am perfectly willing to admit that in a sense a 1-man commission may be more efficient than a 11-man commission. But only in the sense that a three-member Congress would be more efficient than a Congress of 531 Members who are of varying political faiths, springing from all sections of the country, and representing the economic views held by the various groups of our people. A three-man Congress could have disposed of the entire legislative program with which we have been struggling and could have adjourned within a month.

Mr. President, lack of efficiency has never been the criticism made of totalitarian governments. But in this Republic we should not value our democratic institutions so lightly that we will sacrifice the safeguards of democracy merely for greater efficiency. And I repeat, there is no increased efficiency at all and there can be none by giving the President the power to appoint this all-powerful chairman. Under present law the chairman is appointed by the commission itself and that is the way it should remain, and that is the way it will remain if this Senate believes in democracy.

In the establishment of administrative agencies the Congress provided for bipartisan representation. In the case of the ICC we provided for 11 members, not more than six of whom may be of the same political party. We have also provided for staggering the 7-year terms of these commissioners so that a change in the office of the President cannot result in a new commission and new policies dictated solely by politics. All of these precautions in effect will go out the window under plan No. 7.

Those safeguards were adopted originally and wisely to insure the independence of this arm of the Congress; safeguards which it is now proposed be swept away. Before specifically pointing out the effects of this plan, I should like to call attention to an exact analogy which will be readily apparent to every Senator. Suppose a proposal were made to give the chairman of the congressional committees full power over the entire staffs of such committees, and the President the power to select that chairman. Certainly we would not sanction any such proposal. But that is precisely what plan No. 7 does to one of the arms of Congress. In the Legislative Reorganization Act, the Congress has gone so far as to expressly provide for minority staff appointments on congressional committees. If we are to maintain the two-party system such provisions must be observed.

Let us not strip the ICC—an arm of the Congress—of the democratic safeguards which we know are so necessary to our liberty.

The reorganization plan before us would take away from the 11 members of the Commission, and vest in 1 man, 6 important functions, 5 of which it has had from its inception and which have contributed materially to its successful operation. These six are:

First. The appointment and supervision of personnel—except for the Commissioner's personal staff.

Second. The assignment and distribution of work among the administrative units of the agency.

Third. The use and expenditure of funds.

Fourth. The control and supervision of hearing examiners, thus amending substantive law and striking a telling blow at the separation of prosecutory and judicial functions.

Fifth. The direction and control of the Director of Locomotive Inspection and his two assistants in the performance of their functions.

Sixth. The democratic right to select its own Chairman. Five of the functions which I have just listed would be vested in the Chairman and the Chairman would be the appointee of the President. As Mr. C. A. Miller, vice president and general counsel of the American Short-line Railroad Association, said in testifying against this reorganization plan:

If Reorganization Plan No. 7 becomes effective, the Chairman of the Commission will be designated by the President from the membership of the Commission. We regard this as being the wrong thing to do, and for reasons which I think will be apparent. First of all, the Chairman will be political and politically minded. He will be chosen for his politics and political backing rather than for his ability. The Chairman would have the ear of the President, so that the other members of the Commission would be under the necessity of agreeing with him if they expected to be reappointed. It would take a man of great courage to disagree with the Chairman of the Commission if he wanted to be reappointed.

This reorganization plan is also opposed, and the disapproval resolution is supported, by the railroad brotherhoods, the Association of American Railroads, the Association of Interstate Commerce

Practitioners, the American Trucking Associations, the Freight Forwarders Institute, and the Council of Private Motor Truck Owners.

The spokesman for the railroad brotherhoods called attention to their great concern over the "impartial administration of the various safety laws," which are administered by this Commission, and that for at least 30 years one member of the Commission has had a background of actual railroad experience specializing in matters relating to railway safety. This expert commissioner has always had supervision over the safety activities of the Commission.

The railroad brotherhoods, alarmed as I have not seen them in many a day, are opposing vigorously transferring these activities to the supervision of a chairman who in all probability would be without actual experience in this field as is now required by law.

Railroad management opposes the plan because of its "impairment of the independence of a regulatory agency such as the Interstate Commerce Commission," as they point out.

The truckers oppose the plan because, as they said: "We believe the value of this streamlining is outweighed by the possibility, even the probability, that the judicial processes may be subjected to political influence."

I assert most emphatically, Mr. President, that the claimed greater efficiency of transferring administrative duties to one commissioner, to free the other commissioners for their judicial and legislative tasks, could have been accomplished equally well without taking away from the Commission as a whole the selection of the Chairman. Even if it were desirable to give much of the administrative control to the Chairman, why must control over the Chairman be given to the Executive? I insist that the supporters of this highly offensive plan—this backward step when we ought to be going forward—say why they are doing this to the American people. The Hoover Commission did not recommend that the President appoint the Chairman of the ICC.

Of course we hear, and shall no doubt continue to hear, that the best man on the Commission should be made Chairman and then be given full power over the administration of the Commission. I would prefer, however, Mr. President, to have 11 good men on this Commission rather than one superman and 10 men reduced by law to be mere "yes men." Under the reorganization arrangement the supporters of plan No. 7 are advocating, instead of getting a superman Chairman we are more apt to get a super politician in that office. I have great fear that we will not be able to get good men to accept appointment to the ICC if they are to be mere figureheads with all of the power vested in a political Chairman appointed by the President.

The functions of the so-called arms of Congress are both regulatory and quasi-judicial. In the case of the ICC the functions are largely regulatory but do also include quasi-judicial activities.

As practical and reasonable men we know that the decisions which a regu-

latory body makes do not depend so much on the views of the commissioners as upon the statistics, the background material, and the research which is made available to them by their staffs. Such regulatory action must be supported by facts and the power to select what particular facts are made available is the power to control the decision.

There is a well-known saying in Washington: "Commissioners may come and commissioners may go, but the staff goes on forever."

The power to control appointments to the staff, and to dominate the performance of the staff, is the power to control and dominate the Commission. How can the Congress be blind to that situation?

In the Administrative Procedure Act the Congress sought to preserve the right to a fair trial before an administrative agency by protecting the independence of the examiner. Now we are asked to remove that safeguard of a fair and impartial trial, in the name of efficiency. Mr. President, I ask, at what price is such efficiency sought to be obtained? I say that price is too high. I will not pay it.

The prosecuting staff at the Commission has the obligation of prosecuting the complaints presented by the investigating division. But it is the privilege of these investigators to decide what complaints should be disregarded and what complaints should culminate in litigation. There you have it.

Again the trial examiners under present law are intended to be autonomous, impartial men whose job is to decide, initially, the merits and demerits of opposing claims made before the Commission. The trial examiner is required to make an independent and honest appraisal of the facts, and is not to presume a complaint is well founded merely because it has been issued by the Commission. Now we are asked to make him subservient to the Chairman.

Ultimately the commissioners themselves theoretically review the trial examiner's report, but this is, of course, actually done for them by other staff employees. Under plan No. 7, these staff employees will also be subservient to the chairman. The Administrative Procedure Act was intended to separate these functions in order to insure a fair and impartial hearing. These divisions cannot remain independent if they are all under the exclusive supervision of the chairman. To place the chairman in full charge of all divisions is to bring them under a central authority. When all of the staff is under the same control the resulting theoretic efficiency will tend to avoid independent decisions being made at each level. If the President should happen to appoint an especially able chairman, this may be more efficient, but even in that improbable case it does not assure a fair hearing.

Section 1 (c) of plan No. 7 provides that the Director of Locomotive Inspection and the two Assistant Directors of Locomotive Inspection shall perform their functions subject to the direction and control of the chairman.

Now, Mr. President, section 3 of the Locomotive Inspection Act provides for



the appointment by the President, subject to confirmation by the Senate, of a Director and two assistants, who—and I quote from the statute—

shall be selected with special reference to their practical knowledge of the construction and repairing of boilers, and to their fitnesses and ability to systematize and carry into effect the provisions hereof relating to the inspection and maintenance of locomotive boilers.

Against this plan, H. E. Lyon, secretary-treasurer of the Railway Labor Executives Association, representing 20 national railway organizations with over a million members, said they opposed the plan because it was unwise to—

place the functions of those experts under the direction and control of a person who would almost surely be lacking in competence in this important field of work.

I certainly agree with that plea for safety by the men who risk their lives in the hazardous job of railroading. If the minority of the Committee on Expenditures in the Executive Departments care nothing about the safety of the railroad workers, I beg them to think of the thousands of passengers who ride the trains. Furthermore I agree with the brotherhoods' warning that—

A chairman with such broad authority and lacking familiarity with technical and practical matters would probably bring about chaotic conditions in the administration and enforcement of these important safety laws.

Surely the Congress does not want to hamstring the Bureau of Locomotive Inspection or weaken the enforcement of the safety standards which have been built up after years of hard work. This feature of plan No. 7, standing alone, is enough to warrant rejection of the entire plan. We cannot take chances where the lives of thousands of people are concerned.

Mr. President, at this point I wish to read a telegram into the Record. Similar telegrams have been received by all other Senators. It is dated Chicago, Ill., May 8, 1950, and is as follows:

The forty-fourth grand division Order of Railway Conductors of America, consisting of 650 delegates from all 48 States, now in session at Congress Hotel, Chicago, Ill., respectfully urges you to actively support Senate Resolution 253 by Senator JOHNSON, Colorado, Reorganization Plan No. 7.

Signed by H. W. Fraser, president.

Mr. President, I regret to say that shortly after Mr. Fraser signed the telegram he passed on, but the interest of the railroad workers themselves continues, and I am sure that many Senators have been contacted by the railroad workers and their organizations who have told them of their deep interest in the resolution.

Of all the administrative agencies the Interstate Commerce Commission is the oldest and probably the most highly respected. The experienced members of that Commission are themselves opposed to this transfer of administrative duties to a chairman. In a letter to me dated October 11, 1949, submitted by the Chairman of the ICC on its behalf, and commenting on the pending bill which would

have accomplished this transfer, the Commission said:

From the beginning of this Commission in 1887 consideration has been given continuously and intensively to the duties assigned to the Chairman and to his length of term. Initially the term was indefinite, and it continued so until the resignation in 1910 of Chairman Knapp as a member of the Commission to become a judge of the United States Commerce Court. The Commission then unanimously adopted a policy of annual rotation of the chairmanship in order of seniority, as grave weaknesses had developed in the system of a continuing or permanent chairmanship. Annual rotation was the rule until July 1, 1940, when as a necessary part of the reorganization of its internal organization the Commission extended the term to 3 years, and gave the holder of the office greater administrative and executive responsibilities, including the duty of seeing that the work of the Commission is done promptly and efficiently. However, annual rotation was resumed at the end of one 3-year period.

The Commission itself desires to rotate its chairmanship. In that letter the Commission further wrote—

On the whole it has been found best from our standpoint to fill the chairmanship by rotation for a 1-year term. Hence, it would be wholly impractical to transfer to the chairman those duties now in large part performed by the secretary of the Commission under the supervision of the administrative division of the Commission on which there are, at present, three commissioners. Moreover, it would be an undue burden on one commissioner to ask him to supervise all the personnel in all the bureaus of the Commission. Such general supervision is now divided among all the commissioners. It is our experience that supervision of one or two bureaus by a single commissioner is much more thorough and satisfactory than could possibly follow from assigning all such supervision of every bureau to a single commissioner designated as chairman. The secretary of the Commission is the chief executive officer, and works as easily with the individual commissioners in respect to the various bureaus as could be hoped for if he had only one commissioner with whom to deal. And we believe there is a more competent appraisal and direction of the work of the bureaus under this division of labor among the commissioners than would follow under an attempt to assign it all to one commissioner. The Commission is in itself an entity. It is composed of 11 individual commissioners but these commissioners act collectively. Cooperation and division of labor among and between the individual commissioners have been achieved without lessening the responsibility of the Commission. We do not see that moving the secretary of the Commission in effect into the office of a single commissioner who would be given the title of chairman would accomplish any beneficial result. It would overburden the commissioner selected as chairman, and it would shut the secretary off from the active and responsive counsel of the other commissioners. \* \* \* We do not believe there is any particular magic in the title of chairman. We assign to our chairman general duties of presiding and coordinating which any commissioner can perform in addition to his other duties. For that reason it is convenient to rotate this responsibility among the commissioners.

Mr. President, as every Member of the Senate knows, there is a tendency in all independent agencies for a small group of senior members of the staff to try to form the policy and run the Commission. When all staff powers are vested in one

man, this objective is greatly simplified because there is only one man for the staff to take under its wing, only one man for them to convert to their cause. At the same time the staff not only has nothing to fear because other commissioners may hold different views, but the staff can actually prevent the other commissioners from obtaining research or investigations which the staff does not wish them to have to support their views and their suspicions.

I am opposed to small groups of the staff running the affairs of an agency—men who were neither appointed by the President nor confirmed by the Senate, and who are not responsible to the people in any degree. Make no mistake about it, plan No. 7 is away from democratic institutions and is a long step toward malignant bureaucracy.

We hear a great deal, Mr. President, about the greater efficiency of private corporations where all executive control is concentrated in a president. This is obviously more efficient, but do not lose sight of the fact that corporate law makes the president of a corporation subject to the direction of the board of directors. That board of directors may remove the president at any time and it has full power to direct the policies of the corporation. Moreover, the members of the board of directors, Mr. President, are the representatives of the stockholders.

There is no similar provision in government making the all-powerful chairman of these agencies subject to the direction and control of any representatives of the people. The agency chairman would be primarily responsible to the President of the United States. Indeed, this is the express intention of the Hoover Commission, although it results in neither economy nor greater efficiency.

It is clear that divesting the whole Commission of authority and concentrating power in the chairman is intended to carry out the philosophy and recommendation expressed in the Hoover Commission's first report (H. Doc. 55, 81st Cong. p. 7) to establish by statute "a clear line of control from the President" to department and agency heads "cutting through the barriers which have in many cases made bureaus and agencies partially independent of the Chief Executive."

The plain fact is, Mr. President, that plan No. 7 would make the Interstate Commerce Commission dependent upon and subordinate to the policy determining power of the Executive, including the political direction and emphasis to be given in the administration of the law.

This is directly contrary to the express intention of Congress in creating the ICC. It was intended to be an arm of the Congress, and I vigorously oppose its transfer to the Executive.

Mr. President, I desire to read into the Record three paragraphs from a letter received by me and signed by Mr. Lowe P. Siddons, traffic manager-commerce attorney for the Holly Sugar Corp., dated Colorado Springs, Colo., April 27, 1950.

I skip the first paragraph and read the following three paragraphs because they are significant and very pertinent. I am sure they deserve the attention of every lawyer in this body. The three paragraphs are as follows:

The President states that under the several plans Nos. 7, 13, and 21, the heads of departments and the chairmen of the regulatory bodies "will be made clearly responsible for the effectiveness and economy of governmental administration and will be given corresponding authority, so that the public, the Congress, and the President may hold them accountable for results in terms both of accomplishments and of cost."

Listen to the next paragraph, Mr. President and Senators:

Under the Constitution of the United States, section 8, powers of Congress. The Congress shall have power "to regulate commerce with foreign nations, and among the several States, and with the Indian Tribes."

That provision of the Constitution does not say anything about the President having the power to regulate commerce. It grants that power to the Congress. Under that power and under that authority Congress has created the regulatory bodies which I mentioned, and more particularly the Interstate Commerce Commission.

The third paragraph is as follows:

This section of the Constitution does not seem to admit any requirement that the President or the public hold the Interstate Commerce Commission or its Chairman "accountable for results in terms both of accomplishments and of costs." The regulation of interstate commerce under the Constitution is a function of government assigned to Congress—it alone is responsible therefor—not the President.

Not anyone else; only Congress.

I repeat the provision in plan No. 7 is directly contrary to the express intention of Congress in creating the Interstate Commerce Commission.

I urge the Senate not to sell short the democratic safeguards now attaching to administrative agencies. I urge it to preserve the independence of the arms of Congress dispensing quasi-judicial justice to the people. While we need have no fears of arbitrary executive control over these agencies by the Executive so long as the present occupant remains in the White House, this is permanent legislation that is before us. I urge the Senate to preserve the independence and the safeguards against political domination which the Interstate Commerce Commission now enjoys. I urge the Senate to adopt resolution 253 disapproving Reorganization Plan No. 7 and thereby to preserve our democratic institutions.

Mr. President, I now desire to read some excerpts from statements made by certain of our distinguished leaders. I shall first quote from a statement made by former Senator Barkley, now Vice President of the United States who, when speaking of the very commissions about which I am speaking, said as follows:

They are quasi-judicial and quasi-legislative. They are quite different from a commission which is created merely to aid the President in determining how he shall perform his executive duty of appointing people to office, in the way of testing their qualifications (for instance, the Civil Service Commission). One is an executive function, the

others are legislative and judicial, and the only reason why the Interstate Commerce Commission was set up, and why the Federal Trade Commission, and the Power Commission, and the Communications Commission, were set up under the authority to regulate commerce among the States and with foreign governments, was the knowledge that Congress itself could not do that.

But plan No. 7 does just exactly what Vice President Barkley said he would never approve; it makes the ICC a one-man agency, just as plans Nos. 8, 9, and 11 make one-man agencies of the Trade, Power, and Communications Commissions.

Mr. President, many of the Members of the Senate now present remember one of our former distinguished colleagues, former Senator Bennett Clark, of Missouri, a parliamentarian of national reputation. I read now what he said regarding the necessity of maintaining independent regulatory bodies; this statement was made by him during the Senate debate in 1938 on the Government departments reorganization bill, the legislative culmination of a professional study of government and how to organize it. In that debate former Senator Bennett Clark, of Missouri, one of the Senate's greatest students of parliamentary history, pointed out that "the principal functions of such commissions as the Interstate Commerce Commission, the Federal Trade Commission, and the Communications Commission, are as agencies of the legislative branch of the Government and as extensions of the legislative power" and that "the important function which has been conferred on such commissions is the ascertainment of particular facts in order to carry out a policy of Congress enunciated in a statute" and "they are legislative rather than executive or administrative in character."

Mr. President, I wish to remind the Senate once more that the provision in the pending reorganization plan that the President shall designate the Chairman of the Interstate Commerce Commission is not a recommendation of the Hoover Commission.

Mr. SCHOEPPEL. Mr. President—  
The PRESIDING OFFICER. Let the Chair inquire whether time has been yielded to the Senator from Kansas.

Mr. JOHNSON of Colorado. Mr. President, the Senator from Arkansas gave me authority to assign the time for him; and I assign 20 minutes to the Senator from Kansas.

The PRESIDING OFFICER. The Senator from Kansas is recognized for 20 minutes.

Mr. SCHOEPPEL. I thank the Senator. I probably shall not use that much time.

Mr. President, in common, I think, with a number of other Senators—with the great majority of the Members of the Senate, I hope—I have approached in a friendly spirit all the 21 reorganization plans sent to us with the President's message of March 13. I have considered all of them with the idea of giving them the benefit of every doubt and of supporting them unless it should appear that they are open to some substantial measure of objection. But my study of Reorganization Plan No. 7 of 1950, deal-

ing with the reorganization of the Interstate Commerce Commission, leads me to the conclusion that it is essentially unwise and should be rejected, as proposed by Senate Resolution 253.

Plan 7 purports to carry out the recommendations of the Commission on Organization of the Executive Branch of the Government—the so-called Hoover Commission. Yet when we analyze its terms, we find that the most important feature of the plan represents a departure from the recommendations of the Hoover Commission.

The two really important changes which plan 7 is designed to bring about in the Interstate Commerce Commission are: First, centralization of control of the administrative affairs of the Commission in the office of the Chairman; and second, the transfer of the power to select the Chairman from the Commission to the President, so that the Chairman will hold office, as such, at the pleasure of the President. The Hoover Commission recommended the first of these two changes, but deliberately refused to recommend the second, which is by all odds, the most important and the most far-reaching part of the plan we now have before us. In spite of that fact, we are asked to support plan 7 as a product of the labors of the Hoover Commission. The truth is that this is not a Hoover Commission plan, but one that represents a very material departure from the recommendations of that body.

The movement for the reorganization of the Government is founded upon the expectation that it will secure two very desirable objectives: First, greater economy in governmental expenditures; and, second, greater efficiency of administration. It is very unlikely that either of these objectives would be furthered by the adoption of plan 7. In the message transmitting plan 7 the President candidly states that the plan "may not in itself result in substantial immediate savings." The view is expressed that the reduction in expenditures will probably come about in future years, although it is not possible to make a concrete estimate of the amount. The vagueness of this hope for savings in future years is indicated by the entire inability of the Director of the Budget, when he appeared as a witness in behalf of plan 7 before the Committee on Expenditures in the Executive Departments, to give the slightest indication of the amount of the prospective savings.

In the current budget for the next fiscal year, which now calls for approximately \$42,000,000,000, the amount included for all the activities of the Interstate Commerce Commission is about \$11,800,000. It would, of course, be something of an accomplishment if any substantial part of that sum could be saved by the proposed changes in organization; but those who advocate the plan are able to point to no accurate evidence of any such savings. The Committee on Expenditures in the Executive Departments, in making its favorable report on Senate Resolution 253, stated that plan 7 would not bring about any substantial economy in the expenditure of Government funds. It could come to no other



conclusion on the basis of the showing made at the hearings.

There was likewise an absence of any real showing that the proposed changes would bring about an increase in the efficiency of the administration of the affairs of the Interstate Commerce Commission. The industries regulated by the Commission, those that are affected by the exercise of its regulatory powers, as well as those that practice before it, are unanimous in their condemnation of the plan. Carriers, shippers, and railroad labor speak with one voice in opposition to the plan. Among the organizations expressing opposition were: Railway Labor Executives Association, National Industrial Traffic League, American Bar Association, Association of Interstate Commerce Commission Practitioners, Association of American Railroads, American Short Line Railroad Association, American Trucking Associations, Freight Forwarders Institute, National Council of Private Motor Truck Owners, Transportation Association of America.

One certainly would think that if plan 7 really provided for greater efficiency in handling the business of the Commission, it would be favored by some of these organizations whose members would stand to benefit. The fact that all of them are arrayed in opposition to the plan is of more than ordinary significance. It means that those who are in day-to-day contact with the work of the Commission, and who are better acquainted than anyone else with its organizational structure, with its procedure, and with its functioning, find nothing in the plan of reorganization sufficient to warrant their lending their support to it. They represent divergent interests before the Commission, but all of them see eye-to-eye on this proposition. They are opposed to plan 7, and are asking us to vote in favor of Senate Resolution 253, which would register our disapproval.

The same position is taken by chairmen of the Senate and House Committees on Interstate and Foreign Commerce. The chairman of the Senate committee, the senior Senator from Colorado [Mr. JOHNSON] is the author of Senate Resolution 253. The chairman of the House committee, Representative CROSSER, of Ohio, is the author of House Resolution 545, the companion measure in the House.

As I have stated, the two principal changes in the Interstate Commerce Commission proposed by Reorganization Plan No. 7 are (1) centralization of the control of the affairs of the Commission in the office of its Chairman, and (2) the transfer of the power to select the Chairman from the Commission to the President. Each of these changes is objectionable, but the evils inherent in the separate features are magnified many times by their combination in a single plan. The cumulative effect of these two revisions in structure is to center in the hands of the Chairman a tremendous amount of control over the affairs of the Commission, and then to make him a subordinate of the President—holding office as Chairman at the pleasure of the President—thus opening the way for Executive domination of an independent

establishment which has always been and should continue to be a bipartisan arm of the Congress.

The very essence of the value of a regulatory tribunal lies in its independence. The Interstate Commerce Commission is now an independent regulatory agency performing quasi-legislative and quasi-judicial functions, as well as certain incidental administrative functions. Most of those duties are quasi-legislative, such as fixing rates for the future. Some are quasi-judicial, such as the awarding of reparations for the past. Since, generally speaking, the Interstate Commerce Act requires a public hearing before the entry of an order, most of the procedure of the Commission is quasi-judicial, even where the nature of the function exercised is of another kind. This requirement of notice and hearing in the procedure of the Interstate Commerce Commission as stated by the Supreme Court in the *Chicago Junction case* ((1924) 264 U. S. 258, 265), "implies both the privilege of introducing evidence and the duty of deciding in accordance with it." As the Court said in *ICC v. Chicago and Pacific Ry.* ((1910) 218 U. S. 88, 102), the powers of the Commission "are expected to be exercised in the coldest neutrality." The Commission has no policy other than that of the statute which it administers.

If the Commission were subject to executive direction or political influence, if it were made amenable to pressure to decide not on the basis of the law and the facts but on the basis of someone else's notion of the requirements of public policy, then confidence in its impartiality would be gone and its usefulness would be destroyed. Yet one of the avowed objectives of plan No. 7 in having the Chairman of the Interstate Commerce Commission hold office as such at the pleasure of the President is said to be to "enable the President to obtain a sympathetic hearing for broader considerations of national policy which he feels the Commission should take into account," to use the words of the Hoover Task Force Report on Regulatory Commissions—page 32—a viewpoint repeated by the former executive secretary of the task force, Mr. Harold Leventhal, in his testimony on the pending resolution. In the President's message of March 13, 1950, transmitting the 21 plans, it is said that the first 13 of them, including plan No. 7, "all have the same objective: To establish clear and direct lines of authority and responsibility for the management of the executive branch."

These proposals are all incompatible with the constitutional doctrine of separation of powers and the traditional system of checks and balances. They are designed to give the President an improper measure of control over the quasi-legislative and quasi-judicial functions of the Interstate Commerce Commission.

This incompatibility is strikingly illustrated by the unanimous decision of the Supreme Court of the United States in *Humphrey's Executor v. United States* (1934), (295 U. S. 602), one of the great landmarks of constitutional law on the subject of the relation of the independent regulatory commission to other branches of the Federal Government. President

Roosevelt had attempted to remove Commissioner Humphrey of the Federal Trade Commission, for reasons, as stated by the President, that "I do not feel that your mind and my mind go along together on either the policies or the administration of the Federal Trade Commission," and "that the aims and purposes of the administration with respect to the work of the Commission can be carried out most effectively with personnel of my own selection." The case presented squarely the question whether a member of an independent regulatory commission holds office at the pleasure of the President, subject to removal by him at any time for failure to carry out Presidential policies. This, in turn, involved the further question whether such a commission is a part of the executive branch of the Government or is independent of it. The Supreme Court decided against the President on both points. It held that (1) the President was without the power of removal, and (2) the Federal Trade Commission, like the Interstate Commerce Commission, is not a part of the executive branch of the Government, but is a quasi-legislative and quasi-judicial agency which cannot, consistently with the purpose of its establishment, be subjected to Executive control. The Court, at pages 625-626, said:

Thus, the language of the act, the legislative reports, and the general purposes of the legislation as reflected by the debates, all combine to demonstrate the congressional intent to create a body of experts who shall gain experience by length of service, a body which shall be independent of Executive authority, except in its selection, and free to exercise its judgment without the leave or hindrance of any other official or any department of the Government. To the accomplishment of these purposes, it is clear that Congress was of opinion that length and certainty of tenure would vitally contribute. And to hold that, nevertheless the members of the Commission continue in office at the mere will of the President, might be to thwart, in large measure, the very ends which Congress sought to realize by definitely fixing the term of office.

Again, at page 628, the Court said:

The Federal Trade Commission is an administrative body created by Congress to carry into effect legislative policies embodied in the statute in accordance with the legislative standard therein prescribed, and to perform other specified duties as a legislative or as a judicial aid. Such a body cannot in any proper sense be characterized as an arm or an eye of the Executive. Its duties are performed without Executive leave and, in the contemplation of the statute, must be free from Executive control \* \* \* to the extent that it exercises any executive function—as distinguished from executive power in the constitutional sense—it does so in the discharge and effectuation of its quasi-legislative or quasi-judicial powers, or as an agency of the legislative or judicial departments of the Government.

Again, at page 629, the Court said:

We think it plain under the Constitution that illimitable power of removal is not possessed by the President in respect of officers of the character of those just named. The authority of Congress, in creating quasi-legislative or quasi-judicial agencies to require them to act in discharge of their duties independently of Executive control cannot

well be doubted; and that authority includes, as an appropriate incident, power to fix the period during which they shall continue in office, and to forbid their removal except for cause in the meantime. For it is quite evident that one who holds his office only during the pleasure of another, cannot be depended upon to maintain an attitude of independence against the latter's will.

On page 630 the Court said:

The power of removal here claimed for the President falls within this principle, since its coercive influence threatens the independence of a commission, which is not only wholly disconnected from the executive department, but which, as already fully appears, was created by Congress as a means of carrying into operation legislative and judicial powers, and as an agency of the legislative and judicial departments.

The Court, while conceding that the President had the power to remove an executive officer, reviewed the expressions of James Madison on the question of the President's power of removal, showing that while Madison maintained that the President had the inherent right to remove officers of the executive department, he did not believe that this rule could properly be extended to the case of an officer whose functions partook of a judicial quality. The Court, at page 631, said:

And it is pertinent to observe that when, at a later time, the tenure of office for the Comptroller of the Treasury was under consideration, Mr. Madison quite evidently thought that, since the duties of that office were not purely of an executive nature but partook of the judiciary quality as well, a different rule in respect of Executive removal might well apply.

The proposal to place independent regulatory commissions within an executive department, or to put them under the direct administrative control of the President, is violative of the constitutional principle of separation of powers and the system of checks and balances. The functions of these agencies are not executive but quasi-legislative and quasi-judicial. The Message to Congress of March 13, 1950, dealing with plan 7, characterizing it, among other things, as a bold approach to the problem of delineating responsibility and authority for the management of the executive branch of the Government, reveals the same basic misconception of the status of the independent commissions that was unanimously condemned by the Supreme Court in the Humphrey case. The purpose of providing that the Chairman of the Interstate Commerce Commission shall hold office as such at the pleasure of the President is expressly stated to be to provide clearer lines of management responsibility in the executive branch. But as the decision of the Court in the Humphrey case makes clear, the Interstate Commerce Commission is not in the executive branch, and should have no line of responsibility to that branch. The Chairman should not be made to hold office as such at the pleasure of the President, because, to quote the language of the Court:

It is quite evident that one who holds his office only during the pleasure of another cannot be depended upon to maintain an attitude of independence against the latter's will—

Nor are the apprehensions of danger in subordinating these independent quasi-legislative, quasi-judicial tribunals to executive control in any sense hypothetical or imaginary or unreal. Quite to the contrary they are solidly based on past experience. While President Wilson is reported to have said that he would as soon think of proffering suggestions to the Supreme Court upon a matter before it as to suggest how the Interstate Commerce Commission should decide a case—D. Philip Locklin, *Economics of Transportation*, third edition, 1947, page 299—in later years there have been, in spite of the Commission's secure legal status—up to this time—as an independent agency, attempts to bring political influence to bear upon it. Many of these incidents, some of them involving attempted exertions of Executive pressure, have become a matter of public knowledge and are recounted in standard books dealing with the work of the Commission or the economics of transportation—Sharfman, *The Interstate Commerce Commission*, volume 2, pages 452-489; Vanderblue and Burgess, *Railroads: Rates—Service—Management* (1923), pages 113-114; D. Philip Locklin, *Economics of Transportation*, third edition, 1947, page 299.

Some of them are set forth in the testimony at the hearings on Senate Resolution 253. It may not be amiss to quote an excerpt from an address entitled "In the Public Interest" delivered in 1928 before the University of Wisconsin chapter of Phi Beta Kappa by Mr. B. H. Meyer, then a member of the Interstate Commerce Commission:

The Commission has always been an independent body. It has nothing to do with politics and no political influence has ever determined its official action on any question. I must admit, however, that occasionally attempts have been made to nibble politically at the Commission. In the past these nibbles were sometimes annoying but never harmful. It has remained for recent time to attempt to control Commission action through political channels. These attempts were made boldly and at times with fury. Every one of them has failed. I do not believe they ever will succeed, but it will be a sorry day for our Government if they ever should succeed.

There have been in the past attempts by the executive branch to exert pressure upon the Commission to influence its decisions in important contested cases. Up to this time the Commission by virtue of its independent status has been able to resist these pressures. If the independence of the Commission is destroyed or substantially impaired by making it amenable to the suggestions of the President or his associates in the executive branch of the Government, it may no longer be able to resist these improper encroachments. The only way to insure the continued independence of the Commission, in my humble opinion, is to vote in favor of Senate Resolution 253 and to disapprove the encroachments upon the Commission's independence which are inherent in plan 7.

The PRESIDING OFFICER. The question is on agreeing to Senate Resolution 253.

Mr. McCLELLAN. Mr. President, the proponents of the resolution have consumed their time. I suggest that the opponents should now proceed.

The PRESIDING OFFICER. Under the unanimous-consent agreement, the Chair is ready to recognize the junior Senator from Minnesota.

Mr. JOHNSON of Colorado. Mr. President, on behalf of the Senator from Minnesota, I yield 30 minutes to the Senator from Connecticut [Mr. BENTON].

The PRESIDING OFFICER. The Senator from Connecticut is recognized for 30 minutes on the time of the junior Senator from Minnesota.

Mr. BENTON. Mr. President, the distinguished Senator from Colorado has suggested 30 minutes, but I do not expect to continue for that long a time.

I pointed out last Thursday, Mr. President, that I felt my role was an unhappy one in my opposition to the resolution disapproving Reorganization Plan No. 1. I said it was unhappy because, as the most junior Member of this body, I did not like the lonesome feeling which was generated in me at that time, when I gave the only talk on the floor opposing the resolution rejecting the President's reorganization proposal.

I feel lonesome again today, Mr. President, and I feel unhappy about it. I feel unhappy, further, because it was only yesterday that the reports on the resolution we are now debating were filed. At 11:30 o'clock this morning I was still endeavoring to get a printed copy of the report, and I did not anticipate that this debate would come up on the floor so precipitously, from my standpoint at least, at this time.

Finally, Mr. President, I feel unhappy at the nature of the current debate, because, just as I stated on the floor last Thursday, we have here before us an illustration—another one—of a business group in our economy taking a position which is against its own best interests and against the long-range interests of the businessmen and business communities of America.

As I conceive these long-range interests, they are tied up with the securing of greater efficiency in the Federal Government. It is the large business corporations which pay a high percentage of national taxes and by whom a large percentage of the waste and inefficiency of the Federal Government is destined to be felt in the billions of dollars which former President Hoover estimates are being wasted by the present inefficiencies in our governmental establishments.

Last Thursday the bankers were the opposition to the reorganization of the Treasury Department. On Reorganization Plan No. 5—the Department of Commerce—it is the patent attorneys. This afternoon it is the railroads.

I should like to point out to the Senate that there is a substantial group of regulatory commissions covered in these several plans. What applies to the ICC applies to many others. Recent regulatory commissions, under the laws establishing them, have their chairmen appointed by the President. That is exactly what is feared—applied to the ICC—by the railroads and their attor-



neys who appeared before the Committee on Expenditures in the Executive Departments. Yet the Congress, when it established the Maritime Commission, the Federal Communications Commission, the CAB, and the NLRB provided that the President should appoint the chairmen. So there is nothing novel or revolutionary about the proposal that the President now be allowed to appoint the Chairman of the Interstate Commerce Commission.

Moreover, in other reorganization proposals which have been considered by the Committee on Expenditures in the Executive Departments, the proposal that the President be allowed to appoint the chairman has been agreed to by the committee. This applies to the Federal Trade Commission, the Federal Power Commission, and the Securities and Exchange Commission. There were virtually no witnesses before the committee opposing the similar reorganization plans for these agencies. The committee, in the cases of these three agencies, voted to approve the President's reorganization plans. As to the Interstate Commerce Commission, which we are now debating, the vote was only 6 to 5 against the proposed reorganization, with two members absent. Thus the committee was closely divided on the pending proposal, which is the only such proposal coming from the President which was rejected by the Committee on Expenditures in the Executive Departments.

Many of the inquiries coming to my office express surprise at the inconsistency on the part of the committee. They ask me to explain it. Why do we approve three and reject a fourth which is similar? Mr. President, the inconsistency is not very hard to explain. We do not have to look very far for it. We need look only at the list of witnesses who appeared before the committee to oppose Reorganization Plan No. 7.

Mr. LUCAS. Mr. President, will the Senator yield for a question?

Mr. BENTON. I am glad to yield.

Mr. LUCAS. My attention was diverted a moment ago when the Senator was naming to the Senate the different agencies as to which the committee has already approved a transference of power to the chairman. Will the Senator name those agencies again? It seems to me that it is of tremendous importance.

Mr. BENTON. Yes; I am grateful for the question. There are two broad categories of these regulatory agencies, which are 11 in number, I believe. There are, first, the agencies with respect to which the President already has statutory power to appoint the Chairman. These include agencies which were most recently established by Congress. They are the Federal Communications Commission, the National Labor Relations Board, the Civil Aeronautics Board, the Maritime Commission, and the Federal Reserve Board. The Maritime Commission and the Federal Reserve Board are in a special category because they are not the subject of reorganization proposals. The Maritime Commission was reorganized by plan No. 6 in 1949, along exactly the lines proposed here for the ICC.

The second broad group which are the subject of reorganization proposals are agencies whose chairmen the President does not now have the power to appoint. In each of the four reorganization proposals to which I have referred this power is sought on behalf of the President. As I have said, in the case of three of these agencies virtually no witnesses appeared before the committee in opposition to this grant of power to the President, and the Committee on Expenditures in the Executive Departments has acted favorably on the reorganization proposals as recommended by the President. In the case of the fourth, the Interstate Commerce Commission, which we are now discussing, a group of formidable witnesses appeared in opposition to the proposed reorganization, and it was that group that I was about to comment on when the Senator from Illinois asked me the question.

Mr. LUCAS. Mr. President, will the Senator yield further?

Mr. BENTON. I yield.

Mr. LUCAS. In other words, the Congress of the United States, by passing statutes and approving certain reorganization plans has done the very thing that those who oppose the resolution are now seeking to do? In other words, it has been done in two different ways. In the case of two of the agencies the Senator has named Congress has acted by passing statutes.

Mr. BENTON. In the case of six agencies.

Mr. LUCAS. In the case of six agencies the Congress has passed upon that very phase of legislation which is now being challenged by those who seek the disapproval of plan No. 7. In other words, with reference to six agencies, the Congress has said that such power shall reside in the Chairman.

Mr. BENTON. Yes; by law.

Mr. LUCAS. By law.

Mr. BENTON. That is correct.

Mr. LUCAS. We have also done the same thing, as I understand, in the case of some of the reorganization plans which have heretofore been passed upon.

Mr. BENTON. Congress has not exercised its final say-so, but the committee has given its approval on three more.

Mr. LUCAS. The committee has given its approval to the President's recommendations.

Mr. BENTON. Yes; in three of the four agencies now under discussion it has recommended approval of the reorganization proposals. That is exactly correct. Therefore there is this inconsistency, applied to the ICC, and I was about to examine into what seemed to be the reasons for the inconsistency.

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield?

Mr. BENTON. I yield.

Mr. JOHNSON of Colorado. I should like to correct a conclusion which the Senator from Illinois [Mr. Lucas] seems to have reached. It is not the appointment of the Chairman that is so important. It is the transfer of the duties of the Commission to the Chairman. As I pointed out a few moments ago, under plan No. 7 six important functions of the Commission would be transferred

to the Chairman, who would be appointed by the President. I listed them a short time ago, and I do not wish to take the time of the Senator to list them again. However, it will take only a moment. They are: First, the appointment and supervision of personnel. Second, the assignment and distribution of work among the administrative units of the agency. Third, the use and expenditure of funds. Fourth, the control and supervision of hearing examiners, thus amending substantive law and striking a telling blow at the separation of prosecutory and judicial functions. Fifth, the direction and control of the Director of Locomotive Inspection and his two assistants in the performance of their functions. That is why the railroad brotherhoods are pleading that this plan be not approved. Sixth, the democratic right to select its own Chairman.

Mr. LUCAS. Will the Senator from Connecticut yield so that I may ask the chairman of the committee a question?

Mr. BENTON. I am glad to yield.

Mr. LUCAS. With respect to the executive functions which would be transferred, as the Senator suggested, may I inquire whether or not the Hoover Commission made the recommendation that this transfer be made.

Mr. JOHNSON of Colorado. The Hoover Commission did not make the recommendation that the Chairman of the ICC be appointed by the President.

Mr. LUCAS. That is not what I asked. I asked whether the Hoover Commission made the recommendation with reference to the transfer of the executive functions which the Senator is now complaining about.

Mr. JOHNSON of Colorado. The Hoover Commission made the recommendation of the transfer of these functions to the Chairman, but the Hoover Commission left the appointment of the Chairman to the Commission.

Mr. LUCAS. Did it? That is the question.

Mr. JOHNSON of Colorado. That is what it did.

Mr. LUCAS. Will the Senator yield for another question?

Mr. BENTON. Yes.

Mr. LUCAS. I undertake to say that the Hoover Commission said this:

As a general proposition we recommend that all administrative responsibility be vested in the Chairman of the Commission.

The citizens committee, which has had such great interest in these reorganization plans, has this to say in its report:

The President lacks power under present laws to appoint the chairmen of four independent regulatory agencies. These are the Interstate Commerce Commission, the Federal Power Commission, the Federal Trade Commission, and the Securities and Exchange Commission. Conformance with general recommendations of the Hoover Commission is properly claimed for plans Nos. 1 through 11 and 13.

In other words, the citizens committee for the Hoover Commission report definitely says that in its opinion what is being done here under the plan laid down by the President is proper under any construction of what the Hoover Commission recommended.

Mr. President, I should like to say one further thing. I do not believe I have received as many letters on any major piece of legislation from my constituents as I have on the reorganization of the Government. I do not think that any Senator can conscientiously go back to the people and tell them that we are not reorganizing the Federal Government in line with what the Hoover Commission has said and in line with what the President of the United States has requested on the theory that because one chairman would be getting a certain amount of power we are not reorganizing the Government.

That is especially true in view of what Congress has done on six different occasions previously in lodging power, by statute, in the chairmen of commissions, and especially in view of the report of the committee which has just come forward, as explained by the Senator from Connecticut, showing that three out of four of the regulatory commissions have been passed on by the committee favorably from the standpoint of the recommendation of the President of the United States.

Mr. President, there is being done exactly what has always been done with respect to the reorganization of the branches of the Government. Every time we attempt to reorganize the Government, there is always someone who wishes to be exempted, there is always something in the way of an excuse to exempt some particular agency from being reorganized.

If we do not reorganize the four different agencies of the Government now under consideration by the Congress, and give the President some power to do the job, then, in my opinion, we will have neglected to carry out the essential recommendations made by the Hoover Commission.

Mr. BENTON. Mr. President, I am very grateful to the eloquent Senator from Illinois for making such an appropriate statement on this question at this time. He makes me feel less lonely than I feared I was going to feel during the course of my remarks.

I should like now to quote and supplement the statement of the task force of the Hoover Commission which bears directly on the remarks of the Senator from Illinois. This is what the task force said, as applied to the Interstate Commerce Commission:

We recommend that the chairman of each commission should be designated from among the members by the President and should serve as chairman at his pleasure.

This proposal is closely related to our recommendations, discussed in the next chapter, that the chairman should be recognized as the administrative head of the agency.

The designation of the chairman by the President is not a novel proposal. Under existing law, the President names the chairmen of five of the nine commissions—

Mr. President, I have stated that the President appoints 6 of the 11. Perhaps I have included two which were not included by the task force and this may reconcile the figures. I continue the quotation:

one to serve for 4 years, one for 1 year, and the other three apparently at pleasure.

While the other four commissions select their own chairmen, the members of two of them have frequently chosen a member informally suggested by the President (Securities and Exchange Commission and Federal Power Commission).

Our recommendation is merely that the practice of selection by the President be made the general rule by statute, and that the chairman serve as such at the pleasure of the President in all cases, although protected against removal as a member.

Designation by the President provides an acceptable channel of communication between the commission and the President, without impairing the proper independence of the commission.

The second important advantage of Presidential designation is that it assists in achieving the objective of improving the internal administration of the commissions.

Mr. President, the points of new authority to be given to the new Chairman of the ICC under the proposal under discussion, as set forth by the able Senator from Colorado who favors the resolution of disapproval, is exactly the same list that also applies to the proposed chairmen of the other three commissions on which the committee has acted favorably. If this proposal is undemocratic in the case of the ICC, it is manifestly undemocratic in the case of the SEC, the FTC, and the FPC. I deny that it is undemocratic. I do not approve the use of the word "democratic" as applied to the problem of securing administrative efficiency. I think it is a word which confuses and beclouds the fundamental subject we should be discussing, namely, fixing authority and fixing responsibility, so that responsibility and authority will coincide, and can be seen in public, out in the open, where we can get our eyes upon them, know who is responsible, and hold him responsible when things go wrong, instead of getting lost in the murk and obscurity of the labyrinthine halls of the great buildings of Washington.

I wish to revert, if I may, to the point I was discussing when I was interrupted by the question of the Senator from Illinois. I should like to read the list of witnesses who appeared before the committee in opposition to the President's proposal for the reorganization of the Interstate Commerce Commission. It is as follows:

Jonathan C. Gibson, vice president and general counsel, Santa Fe Railroad, representing the Association of American Railroads.

J. Ninian Beall, chairman, Association of Interstate Commerce Commission Practitioners.

R. Granville Curry, Association of ICC Practitioners.

Edgar S. Idol, American Trucking Association.

Giles Morrow, Freight Forwarders Institute.

Arthur L. Winn, Jr., Association of Interstate Commerce Commission Practitioners.

Donald D. Conn, Transportation Association of America.

A. E. Lyon, Railway Labor Executive Association.

Herschel A. Hollopeter, transportation director of Indiana State Chamber of Commerce.

W. H. Ott, Jr., National Council of Private Motor Truck Owners, Inc.

C. A. Miller, vice president and general counsel, The American Short Line Railroad Association.

Senators will notice that very largely these are lawyers who have an interest in the Interstate Commerce Commission, and representatives of trade associations, who also have a direct interest in it.

Mr. President, I now wish to read a selection from the testimony before the Committee on Expenditures in the Executive Departments, to show how I, as a member of the committee, attempted to secure from the witnesses evidence growing from the operation of those regulatory commissions where the chairmen are now serving by Presidential appointment.

When Mr. Beall, the chairman of the Association of Interstate Commerce Commission Practitioners, with a long background of legal practice in Washington, was before the committee, I asked him questions which I desire to read. I quote this testimony because it has a direct bearing on the fears expressed previously on this floor by the opponents of the proposal to reorganize the Interstate Commerce Commission.

I asked Mr. Beall:

Do you have any evidence that the kind of political influence that you fear in the Commission through a Presidential appointment of the chairman exists in the case of other commissions where the President now has the authority to appoint the chairman?

I will say, Mr. President, that surely there should be such evidence with respect to the six other commissions, if there exists sufficient bona fide evidence of danger concerning the Interstate Commerce Commission.

Mr. Beall replied:

With respect to your question, I am in the unfortunate position of not being too familiar with the other commissions. My testimony and background is with the Interstate Commerce Commission.

In other words, Mr. President, this distinguished lawyer, out of his own interests as he sees them, is testifying against a reorganization of the Interstate Commerce Commission designed to put it on efficient lines paralleling those of six other commissions now operating under chairmen with administrative authority, without having even found out or inquired as to how these other six commissions are operating with their chairmen who are appointed by the President.

I then said to Mr. Beall:

The President does have the power to appoint the chairmen of certain commissions. If the practice is unsound and opens the commission to political pressures and influence, I think there should be a good deal of evidence from other boards where we have been following this other practice for some years.

Mr. Beall replied:

My information on the subject is very limited. I heard testimony to the effect that for a number of years the President had considerable influence, or was thought to have, with the Maritime Commission. That situation prevailed for a period of about 9 years, according to some of the testimony, but in the last 2 or 3 years it has not been the case.

Senator BENTON. The clerk points out that the President appoints the Chairman of the Securities and Exchange Commission. I have heard reports of influence in the Securities and Exchange Commission. \* \* \*



But—and I wonder if you think there is political pressure there or in the Federal Communications Commission or in the National Labor Relations Board or the Civil Aeronautics Board, to the point where, in these four agencies, we have experience or evidence to validate your fears about the Interstate Commerce Commission.

Mr. Beall replied:

I think there is all the danger in the world.

Upon which I asked him:

Have you heard of any? You are in Washington. You have been practicing here for 30 years.

Mr. Beall replied.

That is the trouble, Senator. I want to stay here.

Then I said:

I wonder if you have heard of political pressures. You are practicing law here, and if you are not familiar with such charges, if we do not have the sinister political influences at work in these four where the President appoints the Chairman, I think there would be a presumption that he might appoint the Chairman of the Interstate Commerce Commission without throwing it open to these sinister political influences.

Mr. Beall replied:

I do not want to volunteer a lot of hearsay information.

Then I queried:

We are having too much hearsay these days. I yield to your thought.

The VICE PRESIDENT. The time of the Senator from Connecticut has expired.

Mr. BENTON. Mr. President, the Senator from Minnesota [Mr. HUMPHREY] is not on the floor at the moment. If the Senator were on the floor, I would ask him for another 5 minutes of time. He is voting on reorganization proposals in a meeting which is now being held by the Committee on Expenditures in the Executive Departments.

Mr. LUCAS. Mr. President, I ask unanimous consent that the Senator from Connecticut be allowed 5 minutes additional time, that time to be charged to the time controlled by the Senator from Minnesota.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. BENTON. Mr. President, I believe these witnesses in looking at this issue wholly and, I feel, narrowly from the standpoint of their own perspective and their own interest, as the testimony I have just read brings out, are doing themselves a disservice, because in blocking these reorganization proposals, the one now under consideration being the third one to reach the floor, they are encouraging every vested group, each in its turn, to move in upon the proposals that are still to come before us, and they are furnishing an object lesson which is a very unhappy one, at the Federal level, which will in turn be used in connection with problems to be dealt with at the State level and even at the municipal level.

Mr. President, I should like to point out that the famous and esteemed Mr. Eastman, whose name we all associate with the leadership of the Interstate Commerce Commission favored a per-

manent instead of a rotating chairman of the Interstate Commerce Commission. Mr. Eastman was referred to by Mr. Beall as follows:

Mr. Eastman was a very capable man who had dedicated his life to this kind of work. He was an outstanding administrator. Everybody had confidence in him.

Mr. President, the opponents of the reorganization of the ICC do not discuss in any detail the administrative matters which are to be turned over to the Chairman. The so-called quasi-judicial and quasi-legislative functions of these commissions are not to be turned over. On the contrary, Mr. President, this plan would free the commissioners, and give them time to think and study and to devote themselves to these high-level policy questions which are involved in the judicial and legislative aspects of their responsibilities.

Having listened to the testimony of the opposition witnesses it is my own view that better men would be attracted to these posts if they were not weighted down with this jockeying, this log-rolling in committee meetings over administrative details, and so forth. Time spent on these administrative matters seriously impinges on the time of the individual commissioners which is required for high-level policy thinking and action in the legislative and judicial fields. I submit to the Senate that it is in the interest of efficiency to have a system which will attract the highest type of men into the Federal Government.

I therefore believe, Mr. President, that Reorganization Plan No. 7 should be approved and should be approved on the basis of its merits.

I agree with the remarks of the distinguished Senator from Illinois that improved administration in all these regulatory commissions does not call for any more lip service from us. Improved administration calls for concrete approval and actual support, and I hope we will show the vested and special interests of the country that they will meet resistance when they come and plead with the Government "to reorganize everybody but leave me alone," "do it to the other fellow, but do not touch me."

The opposition to these plans right straight through comes from groups which do not see the problem of Government efficiency as a whole, and which are prepared, thoughtlessly or heedlessly, to sacrifice the public interest for what they often mistakenly deem to be their own interest.

Further, the witnesses often claim to speak for groups which they do not truly represent. I documented that at length on the floor last Thursday. Many groups seemingly in opposition have heard one side only, and would favor the reorganization proposals if the many complex issues were adequately presented to them.

It is, of course, my opinion that even the semijudicial functions and the semi-legislative functions will be better handled under this new plan when under the klieg lights of responsibility directly vested in department heads. They would be far less subject to abuse than when handled, as all too often at pres-

ent, in obscurity, as so frequently is the case, by subordinate officials.

The VICE PRESIDENT. The time of the Senator from Connecticut has expired.

Mr. HUMPHREY. Mr. President, let me ask how much time remains for the proponents of the reorganization plan.

The VICE PRESIDENT. The Senator has 54 minutes remaining.

Mr. DOUGLAS. Mr. President, will the Senator from Minnesota yield for the purpose of permitting me to ask of him certain questions which I have, not only about Reorganization Plan No. 7, but also about all the reorganization plans affecting regulatory agencies in general?

The Senator is a member of the Committee on Expenditures in the Executive Departments and is supporting these reorganization plans. Therefore, I am particularly interested in his interpretation of these plans as to how they affect such bodies as the Federal Trade Commission and the Federal Power Commission.

Mr. HUMPHREY. I am very happy to yield to the Senator from Illinois for that purpose.

Mr. DOUGLAS. Let me ask the Senator from Minnesota if it is not true that the reorganization plans affecting the regulatory commissions generally, and Reorganization Plan No. 7 in particular, give to the Chairman, who is to be appointed by the President, administrative powers and control over procedural issues, but still leave to the body of the various commissions the determination of policies and the determination of so-called substantive issues. Is my understanding of that matter correct?

Mr. HUMPHREY. The Senator's interpretation of the reorganization plan is accurate, according to the testimony which was presented before the committee and according to my observations.

These regulatory agencies were set up to provide stability in their enforcement and regulatory functions. In order to be able to provide stability and to be able to handle the tremendous amount of administrative detail that is required of an agency of such scope, it is important, according to the Hoover Commission task force reports on reorganization and the report of the Hoover Commission itself, that there be a concentration of administrative, functional powers—what we call the housekeeping powers—in the chairmen of the respective agencies. This would not, however, include powers affecting substantive policies of a commission.

Mr. DOUGLAS. Mr. President, will the Senator yield for a further question? Mr. HUMPHREY. I yield.

Mr. DOUGLAS. Suppose the chairman of a commission states that a given matter is procedural and that, therefore, he has jurisdiction over it; but suppose other members of the commission believe that the matter is substantive and policy making in nature or character. Would the commission then have any authority to overrule the chairman, and make the determination themselves?

Mr. HUMPHREY. Mr. President, it is my understanding that matters which deal with the substance of regulations,

the substance of policy, and the substance of the law are left to the commission as a whole; and where there is a conflict as between what is procedural and what is substantive, it is my interpretation that the vote of the commission as a whole will overrule the administrative decision of the chairman.

Mr. DOUGLAS. Without wishing to make an all-inclusive list of the subjects which are substantive, rather than procedural, let me inquire whether it is the opinion of the distinguished Senator from Minnesota that the following subjects would be substantive, rather than procedural, and therefore would be under the control of the commission, rather than under control of the chairman: For example, first, the choice of the particular subjects to be investigated by the commission.

Mr. HUMPHREY. That is a substantive matter.

Mr. DOUGLAS. The commission itself, not the chairman, would have power over that; is that correct?

Mr. HUMPHREY. That is correct.

Mr. DOUGLAS. Second, the methods to be used by the commission in conducting its major investigations.

Mr. HUMPHREY. That is a substantive matter.

Mr. DOUGLAS. Third, the assignment of personnel to carry out the investigations.

Mr. HUMPHREY. I would say that the ultimate bookkeeping as to the assignment of personnel would be an administrative matter, but the assignment of personnel to duties—for example, the bureau chiefs or assistant bureau chiefs—is a substantive matter, and would be left to the commission. I think it very important that the distinguished Senator bring up that point and stress it as a part of the legislative history of the reorganization plan.

Mr. DOUGLAS. But the final decisions as to the subjects to be investigated by the commission, the methods to be used, and the personnel to make the investigations would be made and determined by the commission; is that correct?

Mr. HUMPHREY. Yes, by the commission as a whole.

Mr. DOUGLAS. If the Chairman of the Commission should wish to punish a member of the staff by sending him to some far-off place or by assigning him duties of little consequence in order to get him out of the way, but the Commission felt that to do so was not in the public interest, could the Commission overrule the Chairman?

Mr. HUMPHREY. They could.

Mr. DOUGLAS. They could prevent him from causing that employee to be sent to the American equivalent of Coventry?

Mr. HUMPHREY. I am sure they could, according to my understanding of the reorganization plan.

Mr. DOUGLAS. Will the Senator from Minnesota give his interpretation of the following: Is the appointment of heads of major administrative units a procedural matter or a substantive matter?

Mr. HUMPHREY. I wish to say to the Senator from Illinois that that question

has been brought up for considerable study, and it was brought up in the form of questioning at the time of the hearings.

It is my interpretation that these reorganization plans affecting regulatory agencies mean that the commission or agency as a whole shall have a voice in the appointment, in the promotion, or in the demotion of the heads of major administrative units—and in that connection, the word "heads" is used in a plural sense. That is to say, the Commission would have a voice in the selection of and in the assignment of duties for bureau chiefs, assistant bureau chiefs, division chiefs, or chiefs of similar administrative units.

I want that point made crystal clear, because I am sure there is a great deal of misunderstanding about the powers of the Commission as compared to the powers of the administrative head or of the Chairman of the Commission.

Mr. DOUGLAS. In other words, we are not creating administrative czars?

Mr. HUMPHREY. Certainly we are not. What we are attempting to do is to expedite the work of the Commission.

If every single commissioner is going to be engaged in a great deal of administrative detail, in the signing of all kinds of documents and in the processing of innumerable papers, and is going to be involved in all manner of personnel relationships, insofar as they are routine, that will bog down the quasi-judicial and quasi-legislative functioning of the Commission.

The report of the task force and of the Hoover Commission itself indicated the desirability of having a chairman who had such administrative powers, and to relieve the other commissioners of them.

Mr. DOUGLAS. But am I correct in concluding that this power is not to be used as a cloak behind which the Chairman of the Commission can take over the disciplining of the staff and the determination of the policies of the Commission? Is it true that the Commission is ultimately to be responsible for the delegation of work and for the major policies to be followed, not only in the final determination of issues, but in the investigation and processing of complaints and requests; is that correct?

Mr. HUMPHREY. The Senator from Illinois has stated the matter very accurately. When the words which are used tell me that the Commission as a whole shall make the determinations of policy and the policy decisions, that is the fact; and then the Chairman of the Commission shall be left to carry out, if you please, the determinations of policy and the other procedures involving policy which have been prescribed by the Commission.

Mr. DOUGLAS. I thank the Senator from Minnesota. I hope this record in the debate will be taken to heart by the chairman of the various administrative bodies and will be authoritative legislative history, with the understanding that it applies not only to Reorganization Plan No. 7, but to all the other reorganization plans affecting regulatory agencies.

Mr. HUMPHREY. In reference to the comment which has been made by the Senator from Illinois, I may say that insofar as plans Nos. 8, 9, and 11 are concerned, which plans are identical in purpose, but relate to other administrative agencies, the Committee on Expenditures in the Executive Departments rejected the resolutions of disapproval of those plans. Let me say that the committee by majority vote approved those plans, as was brought out very clearly by the Senator from Connecticut.

At this time I think it would be well to listen to the words of the Director of the Bureau of the Budget, Mr. Lawton, who testified before the committee. His testimony is recorded in the minority views on Reorganization Plan No. 7.

Mr. Lawton said:

The sole objective of these plans is improved organization and administration of these agencies, and in no way do they modify or alter the substantive laws administered by these bodies.

Mr. President, I think his words are quite clear in that respect, namely, that "in no way" do these reorganization plans "modify or alter the substantive laws administered by these bodies."

He further said:

These plans were developed as a part of a general pattern of reorganization for all regulatory commissions.

Again I wish to emphasize a part of his statement, namely, that the plans are "a part of a general pattern of reorganization for all regulatory commissions."

Mr. President, I see no reason why any one commission should receive specialized treatment. This is not to say that the work of the Interstate Commerce Commission is not good work. However, this program is one designed to secure basic improvement. It appears to me that, as the majority leader said so well a few minutes ago, if we are going to have reorganization, then we ought to have reorganization.

I should like to point out also that my office has been deluged with letters from all over America, written by people who are tremendously concerned with the matters of executive reorganization. There is overwhelming support in this country for the basic recommendations of the Hoover Commission. I must say in all honesty I am sure that some folks who write us letters are not fully familiar with all those recommendations, but there is a desire that there be an improvement in the organizational structure of the Government. That improvement may yield what we call dollar economy. In some instances it may not yield dollar economy. But it is the intention of the reorganization plans to yield efficiency of service, to expedite the tremendous workload with which the respective regulatory commissions are confronted.

Mr. Lawton went on to state further that this general pattern was recommended by the Commission on Organization of the Executive Branch of the Government. I think it should be clearly stated that the Hoover Commission did not necessarily in each and every in-



stance go right down the line and suggest language that was identical with the President's reorganization plan. What the President attempted to do in his reorganization plan was to follow a general pattern of reorganizational structure, such as that recommended by the Hoover Commission. As the report states—and I do not think any better language can be found to state the objectives of this reorganization plan—

The purpose of plan No. 7, therefore, is to improve the organization of the Interstate Commerce Commission by making the chairman responsible for day-to-day administration, subject—

And this is what the Senator from Illinois was asking about—

subject to the general policy guidance of the Commission.

In other words, the commission establishes the general policy. This plan has no purpose of altering the performance of the substantive functions; that is, the regulatory functions, the fact-finding functions the trial-examiner functions vested by law in the Interstate Commerce Commission. I am sure that the inspectional services, the trial-examiner functions, the regulatory and investigative functions are the functions which are most important to the parties affected, that is, to the railroads, to the trucking lines, to the agents of commerce.

What did the Hoover Commission really have to say about this reorganization program with respect to the administrative agencies? In the minority views, particularly those of the Senator from Rhode Island [Mr. LEAHY], the Senator from Connecticut [Mr. BENTON], and myself, we pointed out that this reorganization plan is in strict conformity with the recommendations of the Hoover Commission and its task force on regulatory agencies. Here is what the Hoover Commission had to say on regulatory commissions, quoting now directly from the Hoover Commission report:

Administration by a plural executive is universally regarded as inefficient. This has proved to be true in connection with these commissions. Indeed, those cases where administration has been distinctly superior are cases where administrative as distinguished from regulatory duties have been vested in the chairman.

There are many of these administrative duties. Their efficient handling will frequently mean the difference between a commission's keeping abreast of its work or falling woefully behind.

The first recommendation, then, of the Hoover Commission was this:

1. We recommend that all administrative responsibility be vested in the Chairman of the Commission.

In commenting on this recommendation, the Commission went on to say that this recommendation does not derogate from the statutory responsibilities placed upon the other members of the Commission. They remain exactly as they are, and because of the better functioning of the organization the Commission members will be enabled to discharge these responsibilities much more effectively.

The Hoover Commission then made a further recommendation. This was the Commission's sixth recommendation in

the report on regulatory commissions: It recommended therefore that the statutes be amended so as to permit the Commissions to delegate routine, preliminary, and less important work to members of the staffs under their supervision.

The Hoover Commission's recommendations were based on a study by its task force on regulatory agencies, and that particular task force made a very brilliant report on the regulatory agencies of government. From that report we have a very important quotation or paragraph which I think sets forth the meat of the report. Here is what the Hoover Commission task force had to say:

In order to prevent the absorption of all the Commissioners in administrative details at the expense of the substantive work the Chairman should be specifically designated as the person responsible for administration within the Commission.

The duties of the Chairman should include—

First. Supervision of the various bureaus and divisions from the administrative point of view, such as their workload, backlog, progress, and programs.

In other words, keep the respective bureaus up to their quota of work, see that their program is progressing well, get the monthly reports from the respective bureaus; and instead of having the reports go to each and every Commissioner, have them go to a central office and then to the administrative head.

The second recommendation as to the duties of the Chairman was this:

Direction of the administrative divisions of the Commission—those dealing with the budget, personnel, management analysis, and office and miscellaneous services.

In other words, the Chairman of the Commission would be responsible for the procurement of supplies, for his agents under his direction, for the keeping of personnel records, for the preparation of the budget. Under the present situation, this is a uniform responsibility for the entire Commission.

Mr. BENTON. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Minnesota yield to the Senator from Connecticut?

Mr. HUMPHREY. I am glad to yield.

Mr. BENTON. Is the Senator aware of the fact that last year, in Reorganization Plan No. 6, the Congress acted favorably on giving to the Chairman of the Maritime Commission exactly the responsibilities which are sought by plan No. 7 to be bestowed on the Chairman of the Interstate Commerce Commission? I have before me the two documents, which are almost word for word identical. Is the Senator aware of that?

Mr. HUMPHREY. I am. I am very familiar with it, because I was present on the floor when those reports were brought to the attention of the Senate. I was a member of the committee, and I recall at that time that we felt that this was notable progress.

Mr. BENTON. Has the Senator heard any criticism of the Maritime Commission within the past year with respect to its being undemocratic or less demo-

cratic or in any way having suffered adversely along the lines of the fears expressed on the floor of the Senate this afternoon, because of the reorganization of 1 year ago?

Mr. HUMPHREY. The Senator from Minnesota has heard some criticism of the Maritime Commission, but not because of what happened under the reorganization. The criticism I have heard is that the reorganization was not carried far enough and that further reorganization needs to be accomplished, which will soon be before the Senate. So I want to say I think the point made by the Senator from Connecticut is extremely pertinent, because it is quite evident now that we have already set a pattern by congressional approval of plan No. 6, and as both the Senator from Connecticut and myself have pointed out, in plans 8, 9, and 11, there is approval on the part of the committee which heard the testimony.

Mr. President, one of the bureaus of the Interstate Commerce Commission which has been very dear to the hearts of the men who operate locomotives, to those who work on the railroads, has been the Bureau of Locomotive Inspection. The activities and duties of this Bureau have been of great importance to those who are in charge of the locomotives, the engineers and the firemen; in other words, to the men who work on the railroads. That is exactly the way it ought to be, because proper inspection means the difference between life and death. I want it quite clear from my interpretation of the pending reorganization plan that the administrative officer in charge, the chairman, has no power to alter the functions of that Bureau and no power to change its responsibilities under the law pertaining to its establishment.

I note that in the minority report specific language has been used, and I think it should be called to the attention of all persons interested in this reorganization plan:

It should be emphasized that Reorganization Plan No. 7 does not provide for the transfer of the Bureau's functions to the chairman.

The Bureau's functions are still those of the Bureau.

The Bureau's functions remain with the locomotive inspectors. The only change made by the plan in respect to the Bureau is that the performance of locomotive inspections is placed under the direction and control of the chairman, placing the Director of Locomotive Inspection on a par with the Chief of the Bureau of Motor Carriers in the Interstate Commerce Commission. The chairman in exercising direction over the Bureau would be subject to the Commission's policies, regulatory decisions, findings, and determinations to the same extent as in the case of the other bureaus of the Commission.

The chairman could not change the regulations under which locomotive inspectors operate.

I should like to have the attention of the junior Senator from Connecticut to see whether he recalls this particular language, and in order to get his interpretation:

The chairman could not change the regulations under which the locomotive inspectors operate.



In other words, the regulations for the protection of the lives and well-being of the locomotive engineer and the fireman. Is that the Senator's interpretation?

Mr. BENTON. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. BENTON. That is my interpretation. May I, in turn, ask the Senator from Minnesota, in line with the testimony, whether he recalls the fact brought out by Mr. Lawton that the status of hearing examiners will remain exactly as it is at the present time?

Mr. HUMPHREY. That is correct.

Mr. BENTON. Is it not a fair assumption that some of the persons who are opposing this reorganization plan have needlessly alarmed themselves about changes which are not contemplated or involved in any way in the proposal? The Senator from Minnesota has just cited one, and I have added another.

Mr. HUMPHREY. That is correct. I think it should also be pointed out that the bipartisan nature of the Commission is in no way interfered with or destroyed. All that is proposed is to spell out what is considered to be a sound recommendation pertaining to regulatory agencies, a recommendation which has been made after years of survey and study as to a reorganization which has already been written into statutory law by the Congress of the United States pertaining to other commissions, and a reorganization which only recently, in last year's plan No. 6, was accepted in good faith as doing what should be done. That was in 1949, in the first session of the Eighty-first Congress.

I hope that the Senate will approve this reorganization plan. I may say, in all candor, that reorganization plans are not a matter of life and death in connection with good government. Plans such as this improve the operation of the Government. Since we have big government, and since it becomes ever more complex and its problems become more intricate, it is important that we improve the machinery of government. It is not critical of what has gone on to suggest a change. When the Interstate Commerce Commission was established, it had very little work to do as compared with what it has to do at the present time. Its problems were not what they are today. More and more work is being placed upon the Commission.

Mr. BENTON. Mr. President, will the Senator yield further?

Mr. HUMPHREY. I yield.

Mr. BENTON. Is the Senator aware of the fact that originally the Interstate Commerce Commission had only five commissioners?

Mr. HUMPHREY. Yes.

Mr. BENTON. Later the number was increased to seven, and later to eleven. Does the Senator agree that with the expansion of the Commission and the increase in the number of commissioners, the need becomes greater for administrative responsibility and for a responsible chairman?

Mr. HUMPHREY. It is my conviction that the observation made by the junior Senator from Connecticut is entirely sound. One argument I have heard is

that if the President of the United States has the power to select or to appoint a chairman, there might possibly be some undue partisan influence exerted. I think it should be quite clear that the Commission already has a 6-to-5 partisan balance. It is an 11-man Commission, and I believe the proper interpretation of the political attitudes of the members of the Commission is that there are six Democrats and five Republicans. So the appointment of the chairman by the President is not going to alter that situation at all, unless it might be that the President would appoint a Republican member of the Commission as chairman, in which case I do not think there would be a protest from the minority side, and I do not think there would be one from this side of the aisle. I am confident that the President would appoint someone who could carry out properly his administrative duties. In the future there may be a man on the Commission who is a strong-willed man, and he might become chairman; and if he does become chairman he may dominate the Commission by the fact that he is the chairman. The record of the past is the only thing by which we can prophesy as to the future. The record of the past is that the character of the men on the Commission has been good.

No policy of the Commission is established by the chairman. All policies and all rules and regulations are established by statute or by the Commission itself. The responsibility of the chairman of the Commission is merely to expedite the carrying out of a particular policy which has been promulgated by the Commission.

It should also be pointed out, Mr. President, that the Commission chairman has only those powers which are delegated to him, and delegated powers can always be retrieved. If a delegated power is abused, it can be retrieved.

It is also to be assumed that the President of the United States will be ever vigilant as to the character and activities of the chairman of any regulatory commission. I think the record is quite clear that the chairman of responsible regulatory commissions have not abused their power. I think the record is quite clear, from reports to the Congress, that chairmen of regulatory commissions who are in charge of administrative responsibilities perform their duties with dispatch and efficiency.

Mr. BENTON. Mr. President, will the Senator further yield?

Mr. HUMPHREY. I yield.

Mr. BENTON. Was the junior Senator from Minnesota present when the junior Senator from Connecticut repeatedly asked witnesses at the hearings whether they could produce any evidence on the part of any of the other regulatory bodies which would substantiate the fears of future black-outs and future mishandling of power which were being attributed to the possible appointment of the Chairman of the Interstate Commerce Commission by the President? Does the Senator recall that no witness was able to deduce or bring forth any charges that could be substantiated against chairmen of other regulatory bodies?

Mr. HUMPHREY. It was not my privilege to be present on the day the Senator from Connecticut asked the questions to which he has referred, but the record has been made available to all members of the committee, and since some of us have some responsibility on the floor with reference to the plans, I recall that the Senator's questions were not answered by any kind of evidence that would indicate that there would be anything wrong in the future. As a matter of fact, the record was quite clear that no one could make such a prophecy except on mere conjecture.

Mr. BENTON. Is it not a perfectly sound assumption that the Presidents of the United States in their appointments to other regulatory commissions have conducted themselves on such a high level that there is no justifiable basis for fearing that there will suddenly be a different attitude in the case of the Interstate Commerce Commission?

Mr. HUMPHREY. I think the Senator's position is entirely correct, and I wish to thank him for the intimate knowledge he has of the reorganization plan and for his participation in the discussion of it. I think we are all indebted to the Senator from Connecticut for the interest he has demonstrated and for the knowledge of the subject which he has supplied.

Mr. BENTON. Mr. President, will the Senator further yield?

Mr. HUMPHREY. I yield to the Senator from Connecticut.

Mr. BENTON. The distinguished Senator from Rhode Island has just pointed out to me a quotation from former President Hoover on the subject, and I wonder if the Senator from Minnesota knows that former President Hoover said:

There has been overalarm, I think, that the President intends or any President will intend to invade the legislative and judicial functions of these bodies. In my view, they are not, in their regulatory functions, a part of the executive branch.

Mr. HUMPHREY. I am very happy that the Senator brought that observation to our attention. I want to thank the Senator from Rhode Island [Mr. LEAHY] for his contribution to the minority report which was prepared, which sets forth what I consider to be a pretty sound basis of argument for the adoption of the plan.

Just a final word, Mr. President, and then I shall yield the floor, because I want the majority leader to conclude our argument in reference to this plan.

Mr. President, the time has come for the American people to make up their minds whether we shall have reorganization in government. It appears to me that there is throughout the country a great deal of general feeling for reorganization, and it appears to me that there is a good deal of general talk in the country about economy. One of the principles of government economy is to promote efficiency in government. It does not necessarily mean spending fewer dollars; it means spending well the dollars which are made available; it means getting the most out of every taxpayer's dollar that is made available to the Fed-



eral Government. Ultimately, of course, that means that there will be need for fewer dollars, because if we get the most out of each dollar we shall get a greater amount of service. I think all the evidence up to this time is that the reorganization plans which have been sent to the Congress by the President, in the main points, set forth plans which will promote efficiency and modern administration. I repeat, that big Government cannot be handled by antiquated administrative techniques and tools. This is a twentieth century Government, and we cannot get along with nineteenth century mechanism. We must improve the executive branch of the Government insofar as the machinery of government is concerned. If we do not do that, we may very well thwart the public will by maladministration or by poor administration, not because the heads of Government agencies do not want to do a good job, but simply because there is confusion confounded.

During the war a great many businessmen came to Washington. They represented large business corporations, Mr. President. All of them had one general complaint to make. The complaint was not that they did not have enough work. In fact, they never worked harder in their lives. The complaint was not that they did not have all sorts of equipment made available to them. Mr. President, their complaint was that there was no one place that they could go to and speak to one person who had authority. The authority was all over the lot. The administrative policy was never under the control of one individual in any one agency, but was shared by a half dozen or more individuals. These practical businessmen, many of them who served on the task force, or were advisers to the Hoover Commission, came to the conclusion that if there was one thing the Government needed in its agencies it was modernization and streamlining of administrative responsibility. It is from that great backlog of experience that these reports have come. I think this reorganization plan represents a creditable improvement in the executive branch of the Government. Mr. President, I yield the floor to the Senator from Arkansas if he desires it.

Mr. McCLELLAN. Mr. President, I yield 15 minutes to the Senator from Ohio.

Mr. BRICKER. Mr. President, I rise to speak in opposition to the plan submitted and in support of the resolution of the Committee on Expenditures in the Executive Departments. By a vote of 6 to 5 the committee reported adversely the reorganization plan dealing with the Interstate Commerce Commission. Great impetus has been given to reorganization plans because of the support throughout the country of what has become known as the Hoover Commission report. The Hoover Commission was created by act of the Eightieth Congress. As chairman of the subcommittee, I had some responsibility in the final approval of the resolution offered by the Senator from Massachusetts [Mr. LOUGHEE] and the Member of the House of Representatives from Ohio, Mr. CLARENCE J. BROWN. I wish that it might be possible

to go along with the reorganization plans as submitted, but I wish even more that the plans had followed the recommendations of the Hoover Commission. The impetus given to the recommendations of the Hoover Commission report is due, in part, to the charges of inefficiency on the part of many of the independent agencies, administrative bodies of government, and the delays which have been inherent in the processes of adjudication and administration of their responsibilities.

It is also due to the educational program which has been carried on throughout the country to the effect that the adoption of the Hoover Commission report would mean a saving of taxpayers' dollars. It was on that premise that we received here a short time ago, delivered to the Vice President of the United States, the signatures of hundreds of thousands—and perhaps reaching into the millions—of members of junior chambers of commerce in the United States. They wanted money saved.

Mr. President, Reorganization Plan No. 7, submitted by the President and affecting the Interstate Commerce Commission, does not amount to the saving of 1 penny. Neither do the other three plans, which are comparable to the reorganization plan of the Interstate Commerce Commission, save 1 penny of taxpayers' money. They are submitted wholly on the ground and with the argument that they will promote efficiency in government. In my judgment, they will result in a more cumbersome administrative set-up.

Since 1887 the independent agencies of government, known as administrative boards and bureaus, have been operating in the public interest. Under our constitutional system, there was originally a clear division of the powers of government into executive, legislative, and judicial. As business became more complex and social problems became more demanding, the Congress of the United States in its wisdom created first, in 1887, the Interstate Commerce Commission, which I believe met a great public need, and it has rendered a constructive public service throughout the whole period of its existence. In subsequent years other commissions were established to meet needs in other fields. The Federal Communications Commission and the Federal Trade Commission were established to act in fields outside that of transportation, which was the prime responsibility of the Interstate Commerce Commission.

Around the decisions, judgments, and actions of each one of these commissions there has been built a great body of administrative law. We have bar associations and subdivisions of bar associations which are composed of members of the bar who are practicing sometimes exclusively and many times mainly before the various commissions and boards. Generally, I think the Federal commissions have met the approval of the public served by them.

I know of no group in the transportation field which is supporting the reorganization plan as submitted. I likewise think that the bar, labor organizations, and transportation companies generally

would support it if the plan had followed the recommendation of the Hoover Commission and would bring about any real efficiency and economy in administration.

This is not a new question. It was in 1934 that the then President of the United States in what is now known as the Humphrey case attempted to remove a member of the Federal Trade Commission by the name of Humphrey. The excuse for removing him, as given by the President, was: "This member does not go along with my thinking, and he does not agree with what I think ought to be the operating functions of the Federal Trade Commission." The case was taken to the Supreme Court of the United States. In a unanimous decision the Supreme Court held that it was without the power of the President of the United States to remove a member of such an administrative agency, because the administrative boards of this character are arms of Congress which carry on a quasi-legislative and quasi-judicial function of government.

Their function is to meet the complex industrial and business problems of the time. As a result of that decision, they were left as administrative arms of the Congress of the United States to carry out the details of legislative authority granted in the act creating them and taken out of the power of the Chief Executive of the United States, who, had he been successful in the removal, would have been able to bend to his will these so-called arms of the legislative branch of the Government.

The plans submitted are merely efforts to accomplish the same thing by an indirect move, in another way. Plans 7, 8, 9, and 11, submitted for our approval or disapproval, by giving the President the power of appointment of the chairmen of the boards, arms of the Congress, actually accomplish what the President attempted to accomplish in 1934, and which was declared outside his authority by the Supreme Court of the United States.

Indirectly, then, these four reorganization plans to which I wish to address myself now actually transfer from the legislative authority, and place out of the reach of the power of the Congress of the United States, these commissions, so long as they continue to serve, and turn them over to the direct will of the President of the United States, by the appointment of the chairmen, and the delegation to the chairmen of additional powers.

I oppose these plans; I oppose all of them. We cannot separate them, because the same principle of power on the part of the Executive runs through every one of the reorganization plans. They are a part of the whole program and policy of those who believe in subordinating the legislative branch to the will of the Executive. It is a part of the whole, over-all policy of the totalitarian philosophy of government. It may not be a long step, but it is a step directly in that direction.

Mr. LUCAS. Mr. President—  
The PRESIDING OFFICER (Mr. KEFAUVER in the chair). Does the Senator

from Ohio yield to the Senator from Illinois?

Mr. BRICKER. I yield.

Mr. LUCAS. There is no difference in principle, so far as the transfer of power in any one of the agencies is concerned, as I understand the Senator from Ohio.

Mr. BRICKER. That is correct; there is no difference in the underlying philosophy of government, so far as the four plans are concerned.

Mr. LUCAS. In other words, if we are going to defeat one, we should defeat all. If we are to let them all live, we should not kill any one of them.

Mr. BRICKER. That is a logical conclusion, and I for one am not able to understand the various votes in the Committee on Expenditures in the Executive Departments, whereby one plan was rejected and others were approved, because the same principle is involved in each one of the plans, as has been suggested by the majority leader.

In the first place, they are contrary to the recommendations of the Hoover Commission.

In the second place, they violate the policy of the Hoover Commission not to alter matters of substantive law by repealing essential features of the Administrative Procedures Act.

Third, they are beyond the authority which Congress intended to confer by the Reorganization Act of 1949.

Fourth, they undermine the independence of regulatory commissions, which has been maintained ever since the establishment of the Interstate Commerce Commission in 1887.

The Hoover Commission on Organization of the Executive Branch was established, pursuant to Public Law 162 of the Eightieth Congress. The title of the Commission is somewhat misleading, because it was given authority to investigate independent establishments, as well as components of the executive branch. But it gave but slight attention to the independent administrative agencies, because only 17 pages of the report of the Hoover Commission was devoted to all of them—some 11, as I remember—so that there was not a great deal of attention given, and not any recommendations made as to their reorganization. The Hoover Commission was primarily dealing with the executive branch of the Government, and never at any time contemplated the transfer of these legislative arms over to the domination or the control of the executive.

It is obvious that the Hoover Commission did not subject the independent regulatory commissions to the detailed study which it gave to the departments and agencies of the executive branch of the Government. The Hoover report deals with these regulatory commissions, as I have said, in only 17 pages of its total report, which includes many volumes. The Hoover Commission should not be criticized for the summary treatment of these regulatory agencies, because undoubtedly the Commission realized that Congress had already established the basic pattern of organization in the Administrative Procedures Act of 1947, and subsequent legislation amending that act.

More important, however, was the realization by the Hoover Commission that the independent regulatory agencies were almost exclusively concerned with quasi-judicial and quasi-legislative functions. The Commission concluded, quite properly, that the performance of these functions was beyond the scope of its investigation. In its report it said about these bodies:

In this report the Commission on Organization has confined itself to the discussion of the organizational problems of these agencies and does not deal with their quasi-judicial or quasi-legislative functions.

Yet the plans on which we are voting this afternoon, and on which we will vote in the days immediately ahead, definitely do change the very character of the boards and transfer control of the quasi-legislative and quasi-judicial functions of the administrative boards to the executive branch of the Government.

Mr. President, of the 12 recommendations which affect the regulatory commissions, 11 deal with tenure, salaries, suggested studies, delegation of authority by the Commission, and the transfer of executive functions which the Hoover Commission found could be carried out more efficiently by some executive department or agency.

Reorganization Plans 7, 8, 9, and 11—and we cannot discuss them separately—are all based on the Commission's recommendation No. 1 in its report on regulatory commissions, and in that report is this statement:

We recommend that all administrative responsibility be vested in the Chairman of the Commission.

Mr. President, that recommendation was applied generally to the nine regulatory commissions. The first question to be answered is, What did the Hoover Commission mean by the words "administrative responsibility"?

The PRESIDING OFFICER. The time of the Senator from Ohio has expired.

Mr. McCLELLAN. I yield the Senator from Ohio 5 minutes more.

The PRESIDING OFFICER. The Senator from Ohio is recognized for five more minutes.

Mr. BRICKER. There is so much of vital importance involved that I should like to be able to discuss the plans more at length, but will not be able to do so.

Let me conclude by saying that what is proposed would mean the repeal of the Administrative Procedure Act, and that it is not in compliance with the President's power under the Reorganization Act of 1949. It is a violation of the whole concept of the separation of the powers of government into the executive, legislative, and judicial. It disrupts a history of more than half a century of successful service to the American people and to American business generally. It is not supported by any organization that is interested in the detailed administration, the hearings, and the decisions of these administrative boards.

Mr. President, the necessity for preserving the independence of the regulatory commissions becomes more and more important day by day when we realize that some of them, within the

experience of some of those now in the Senate, have gone contrary to the judgment and the majority vote of the Congress of the United States, and their decisions have been sustained by the Supreme Court of the United States, thereby violating the intent of the Congress, and going beyond the powers delegated to them.

That being so, it should be realized that to place them in the hands of the Chief Executive would mean a concentration of power inimical to the best interests and liberties of the American people.

Mr. President, the adoption of these plans would be a long step toward authoritarian government, desired by those who wish to wield power over others, and they are justly feared by all those who desire to be free to continue their business and to live their own lives.

The proposal is a part of a well-conceived program to subordinate Congress to the will of the Executive, and a planned program to take the policy-making power of the Government out of the hands of the elected representatives of the people, and turn it over to appointed bureaucrats, who already have assumed more authority than the Congress ever intended to give them.

Mr. President, these reorganization plans are dangerous. They threaten the liberties of the American people. They mean a further concentration of power in the Executive, and a further limiting of power of the Congress of the United States.

Mr. President, I hope that the plans will be turned down, and that the pending resolution will be adopted.

Mr. LUCAS. Mr. President, if the Congress of the United States follows the arguments which have been made by the able junior Senator from Ohio [Mr. BRICKER] there will never be any reorganization of Government to the end that efficiency may be promoted and economy brought about in the various branches of the executive agencies of Government.

I undertake to say that the heart of the Hoover recommendations for efficiency is the concentration of administrative functions in the heads of agencies or commissions. In the case of the regulatory commissions this means the chairman of the commission. Unless the responsibility for the day-to-day administration of the executive agencies of the Government is placed upon some one individual in these respective agencies which have been created by Congress, Senators can be as certain as that we are debating this issue today, that there will never be any real and effective reorganization of the executive agencies of Government.

Mr. TOBEY. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. CHAPMAN in the chair). Does the Senator from Illinois yield to the Senator from New Hampshire?

Mr. LUCAS. I yield.

Mr. TOBEY. The question in my mind, and it is a very sincere and conscientious one, is this: I happen to be one of those who wanted to go all along the line with the Hoover recommenda-



tions. Now we are confronted with reorganization plans which come to us from the administration. In the judgment and belief of sincere men, some of the reorganization plans which have come to us from the administration go far beyond the import and spirit and suggestions of the Hoover recommendations. In other words, they would bring about a centralization of power which we believe would be dangerous. That applies particularly to the four bureaus which have been mentioned, and which are dealt with by the four resolutions reported by the Committee on Interstate and Foreign Commerce, that is, the Interstate Commerce Commission, the Federal Trade Commission, Federal Power Commission, and the Federal Communications Commission.

We are now about to vote on one of the resolutions. Faced with the vote, and perplexed by various difficulties, I ask this question of the Senator: In the judgment of honest men, when they see such conditions obtaining, with the reorganization plans submitted to us by the administration going far beyond the recommendations of the Hoover Commission, should it not be the policy of those of us who feel that way to vote in favor of the resolutions of disapproval, to kill the plans as suggested, return them so that they may be reviewed consistently with the Hoover plan and then come back to us as children of the Hoover plan rather than as children of the minds of men in the Government bureaus in Washington?

Mr. LUCAS. Mr. President, I will answer my able friend from New Hampshire in this way: I call his attention to the recommendations numbered 1 and 6 in the volume on Regulatory Commissions, prepared by the Hoover Commission. This is a general recommendation it has made for all regulatory commissions: Recommendation No. 1:

We recommend that all administrative responsibility be vested in the Chairman of the Commission.

#### Recommendation No. 6:

The Commission therefore recommends that the statutes be amended so as to permit the commissions to delegate routine, preliminary, and less important work to members of the staffs under their supervision.

One provision of this reorganization plan transfers the function of the commission with respect to choosing a chairman from the commission membership to the President. This was not recommended by the Commission, but it was recommended by the task force on regulatory commissions.

In the Task Force Report on page 85 this statement is made:

We think the most effective way to achieve this objective is to have the chairman appointed by the President.

This appeared in the section dealing with the Interstate Commerce Commission.

Furthermore, I call attention to what the Citizens' Committee for the Hoover Report said about what the Hoover Commission intended with respect to this very thing. I shall read it. It is a statement which was released by the Citizens' Com-

mittee for the Hoover Report on Friday, May 12:

Dr. Robert L. Johnson, chairman of the Citizens' Committee for the Hoover Report, today called on the Nation's 150,000,000 "silent citizens" to get behind President Truman's 20 remaining Government reorganization plans.

Who are the board of directors of the Citizens' Committee for the Hoover Report, which is stating what ought to be done with respect to the Hoover recommendations? Members of the board of directors included Warren R. Austin, Neal Don Becker, Hon. James F. Byrnes, Dr. William E. Cotten—Council for Union of Carbide and Carbon Chemicals; Hon. Colgate A. Darden, president of the University of Virginia; Hon. Chester C. Davis, president of the Federal Reserve Bank of St. Louis; Gen. Charles G. Dawes; Maj. Gen. William J. Donovan; Hon. Charles Edison, head, Thomas A. Edison Corp. of New York; Hon. James A. Farley; Mr. Henry Ford II; Mr. Clarence Francis, chairman of the board of General Foods Corp.; Hon. John N. Garner, former Vice President from Texas; Mr. Albert S. Goss; Mr. William Green, A. F. of L.; Mr. Philip Murray, president of the CIO, and so on and so on. Some of the most prominent men in this country are members of the board of the Citizens' Committee for the Hoover Report. Listen to what they say:

One of the 21 Truman proposals, Plan No. 12, to reorganize the National Labor Relations Board, was defeated in the Senate yesterday. Dr. Johnson said the Senate action was not a true test of the over-all reorganization program since Plan No. 12 contained provisions beyond those recommended by the Hoover Commission.

Dr. Johnson, who is also president of Temple University, warned that the next 2 weeks will vitally affect the success or failure of the entire reorganization program.

"Unless more than 80 percent of the President's plans are enacted this session of Congress," he said, "the drive for better government will be slowed down."

"These plans all have the unqualified support of the Citizens' Committee, 45 State citizens' committees, more than 300 local citizens' committees, and hundreds of thousands of public-spirited citizens who want more efficient and economical government," he said.

Dr. Johnson pointed out that disapproval resolutions are presently before Congress to reject 11 of the remaining 20 plans.

Savings from the enactment of the President's reorganization plans would not come "today or tomorrow," Dr. Johnson said, but that "eventual savings are a certitude."

"It is virtually impossible to run the Federal Government economically when every department bristles with autonomous bureaus, which are not responsible to the department heads who supervise them."

That is the very essence of this entire thing, Mr. President. In the various bureaus authority cannot be delegated to every Tom, Dick and Harry if we expect to get efficiency in Government from the reorganization standpoint. Such efficiency cannot be had unless the power and authority is lodged in someone, and that someone is made responsible. Authority should be given to an efficient administrator—such an administrator as, for example, Louis Johnson, and let an individual of that type do the work which is necessary to be done.

I continue to read:

Dr. Johnson said that only the President has the direct authority over these semi-independent bureaus. "As a practical matter, the President is unable personally to direct several hundred of these floating ribs of Government," he added.

"Now is the time for 150,000,000 silent citizens to speak out for better government at a better price, or they will never get it."

Mr. TOBEY. Mr. President, will the Senator yield to me for a moment?

Mr. LUCAS. I yield.

Mr. TOBEY. I thank the Senator from Illinois. The point I make is that those of us who have sincerely committed ourselves to supporting the Hoover plan, and who want to do that thing, and who have gone before our people and told them we are going to do so, now find ourselves in an anomalous position. We find by advices received from top men connected with the Hoover plan—I will not mention any name, but I talked with one of them over the telephone, a man who was near the top, and he assures very definitely, without mentioning any names, that in his judgment the reorganization plans do go far beyond what was contemplated and what was intended by the Hoover Commission. Therefore, as an individual Senator, I say that when I vote in favor of the resolution to disapprove the pending reorganization plan, it will be with the distinct understanding that the plan should go back and be clearly reviewed so as to make sure it squares with the Hoover Commission's recommendations. What we are afraid of is centralization of power of commissions, against the people's interest, and in such a way as to contravene the legislation which puts them under the watchful eye of standing committees of the Senate.

Mr. LUCAS. Mr. President, my time is limited. I appreciate the Senator's statement.

Mr. TOBEY. They are words of wisdom.

Mr. LUCAS. I understand the Senator's position. He brings to the Senate words of wisdom whenever he speaks. I simply have no time, however, to listen to all he has to say today.

Mr. TOBEY. That is an excuse, but not a reason. Go ahead.

Mr. LUCAS. I do not have much time, I will say to my friend.

The PRESIDING OFFICER. The Senator from Illinois declines to yield.

Mr. LUCAS. Mr. President, I wish to read another statement which Dr. Johnson made:

As former President Hoover told the Sales Executives Club of New York on Tuesday, violent campaigns are being waged against many Presidential plans: "Practically every single item in the program has invariably met with opposition of some vested official, or it has disturbed some vested habit and offended some organized minority." And, he added, "It has aroused paid propagandists. All these vested officials, vested habits, organized propaganda groups are in favor of every item of reorganization except that which affects the bureau or the activity in which they are specially interested."

Mr. President, at that point Dr. Johnson was quoting the statement of Herbert Hoover himself.

I do not believe that Herbert Hoover would make a statement of that sort if

he did not believe that the reorganization plans which have been sent to us by the President of the United States are at least in the spirit of what the Hoover Commission was attempting to do when it made its recommendations.

The sole question now before the Senate is whether we are going to have reorganization in government or whether we are not going to have reorganization in government.

The Senator from New Hampshire has spoken of sending back these plans for review. If that is done, that will be the end of them. So surely as the Senate kills this plan and kills the other three plans which are in the same category with this one, we in the Senate can rest assured that there will be no reorganization in the Government this year and there will be none for a long, long time to come.

Mr. President, we have come a long way from the time when Theodore Roosevelt, then President of the United States, attempted to reorganize the Government. This is the first time the Congress has ever in reality given the President an opportunity to submit reorganization plans, and now these plans come to us from the President. We have a grave responsibility to approve them.

When we consider the fine type of persons who represent the Citizens' Committee for the Hoover Report, who watch these plans day after day, it is obvious that their views carry weight. If now we do not do anything about these reorganization plans except kill all of them, we can kiss reorganization goodbye. If that happens, the people of the United States will be disappointed.

As I said a moment ago in a colloquy with the Senator from Connecticut, I have never received so much mail regarding any one proposition as I have received from my constituents in Illinois in regard to the reorganization plans. Every chamber of commerce in the State of Illinois has asked me to go "all out" for them. Thousands of persons who are interested in efficiency and economy in Government have asked that we support these plans.

Many persons in my State who have followed the activities of the Johnson committee, which is composed of the distinguished and able citizens whose names are on the list which is before us today, believe that the members of that committee know what they are talking about when they write a letter of this kind and ask the Senate of the United States to go along with the reorganization plans which have been submitted by the President of the United States.

Mr. President, I am not going back to Illinois to face the chambers of commerce there and say to them that I voted against Reorganization Plan No. 7 or the other reorganization plans dealing with four vital agencies of Government. All of these agencies have persons who are ready to speak up for them, just as former President Hoover has said. Practically every item in the program has invariably met with the opposition of some vested official or has disturbed some vested habit and offended some organized minority.

Certainly I am not going to go back to Illinois and tell my constituents that I voted against this kind of plan. I sincerely hope that when the vote is taken on the resolution which has been submitted by the distinguished Senator from Colorado, the resolution of disapproval of the plan will be rejected.

Mr. President, let me inquire how many minutes I have remaining.

The PRESIDING OFFICER (Mr. CHAPMAN in the chair). The Senator from Illinois has 7 minutes remaining.

Mr. LUCAS. Mr. President, let me conclude by informing the Senate what Reorganization Plan No. 7 will do, according to my opinion.

In the first place, it will vest in the Chairman of the Commission the following executive functions:

First. The appointment and supervision of personnel.

Why should not the Chairman of the Commission have the power to say who shall be the personnel in that particular agency of Government? Would any Senator want to delegate to some board around him the power to appoint the personnel in his own office?

Second. The distribution of business among the personnel or administrative units.

Is it not properly the duty of the Chairman of the Commission to do that very thing, and to hold all individuals serving in the agency responsible for the work assigned to them? It seems to me that the only way by which we shall obtain efficiency in government is by authorizing the Chairman of the Commission to distribute the business of the Commission among the personnel or administrative units in that agency.

Third. The expenditure of funds, subject to general policies of statutes.

Next, Reorganization Plan No. 7 provides:

First. That the Chairman shall appoint the heads of major administrative units, with the approval of the Commission.

In other words, the approval of the Commission must be obtained by the Chairman in such matters before any head of a major administrative unit can be appointed.

Second. That regularly employed personnel in the immediate offices of Commissioners, other than that of the Chairman, are not affected by the proposed reorganization plan.

Third. That the reviewing of budget estimates and the distribution of appropriated funds shall be reserved to the Commission.

In other words, Mr. President, the important duty of reviewing the budget estimates and distributing the appropriated funds is to be reserved to the Commission itself, rather than to the Chairman of the Commission.

Fourth. That the Director of Locomotive Inspection and two assistant directors shall perform their functions subject to the direction of the Chairman.

Mr. President, that is where the great trouble has arisen. My friends in the railroad world are seriously objecting to this reorganization plan. However, I do not believe their fears are well

grounded. I think that over a long period of time it will be proved conclusively that those who are vitally interested in this matter will not be seriously injured or jeopardized if this plan becomes the law.

This plan also authorizes the Chairman of the Commission to delegate to any officer, employee, or administrative unit any function.

The plan also transfers from the Commissioners to the President the function of the Commission with respect to choosing a Chairman.

Mr. President, I wish to conclude by repeating—it would be well to repeat it again and again—that the fundamental and basic principle laid down by the Hoover Commission, in its No. 1 recommendation was:

We recommend that all administrative responsibility be vested in the Chairman of the Commission.

Unless we do vest that responsibility in the Chairman, and let the President find and appoint the kind of man who will do that job—a man who has administrative and executive ability, and upon whom the President may lay the responsibility, and to whom the President may say, "Mr. Jones, this is your responsibility, and you cannot shift it to this or that agency or branch of your commission, but it is your responsibility"—we shall not gain the efficiency and economy in government which we seek. It is only through that kind of an organization that we shall ever obtain increased efficiency or economy in the Federal Government.

Mr. McCLELLAN. Mr. President—The PRESIDING OFFICER. The Senator from Arkansas.

Mr. HUMPHREY. Mr. President, will the Senator from Arkansas yield merely long enough to permit me to propound a parliamentary inquiry?

Mr. McCLELLAN. I yield.

Mr. HUMPHREY. Mr. President, I wish to inquire whether any time remains to the proponents of the plan.

The PRESIDING OFFICER. The Senator from Minnesota has 4 minutes remaining.

The Senator from Arkansas has 20 minutes remaining.

Mr. McCLELLAN. Mr. President, does the Senator from Minnesota wish to use now any of his time?

Mr. HUMPHREY. No; I was simply inquiring whether those on our side of the question have any time remaining.

Mr. McCLELLAN. Very well.

Mr. President, I do not wish to speak at length on the pending resolution.

Earlier this afternoon, when the able Senator from Connecticut was expressing his loneliness, in a sense, by virtue of his being a junior Member of this body and having a heavy responsibility fall upon him with respect to discussing this plan and supporting it and probably carrying the burden of the debate in favor of the plan, I, too, felt the responsibility which rests upon me, as chairman of the Committee on Expenditures in the Executive Departments, which has jurisdiction of these proposals, and to which these reorganiza-



tion plans were referred; and I also feel responsibility in this matter by reason of the fact that I served as a member of the Hoover Commission, and am anxious to see a proper reorganization of the executive branch of the Government.

Mr. President, frequently the task force of the Hoover Commission is quoted in support of some plan or some phase of some plan which is submitted to us, and which we have under consideration. Yet the task force's recommendations and report are not the Hoover Commission's recommendations and report. The task force simply made studies; and the recommendations and report of the task force were made by those who conducted those studies, who made those recommendations to the Commission, but the Hoover Commission rejected many of those recommendations. So, when the report of the task force is quoted, it should be remembered that that is not necessarily the decision and recommendations of the Commission which was constituted to make this study and to make the recommendations respecting reorganization plans. We must not let anyone confuse us by quoting what some task force may have said.

Mr. LONG. Mr. President, will the Senator yield at that point?

Mr. McCLELLAN. I yield briefly for a question.

Mr. LONG. As a matter of fact, is not the distinguished senior Senator from Arkansas who presently has the floor actually a member of the Hoover Commission which made this study?

Mr. McCLELLAN. The Commission is no longer in existence. I served as a member of it, that is true. What I want to emphasize, Mr. President, is that we come here with these plans, and we go back and go through the task force reports and begin quoting them in support of some plan. Mr. President, you will find that the test is to read the words of the Commission, not the words of the task force. We hold committee hearings, and someone comes before the committee in support of a bill and testifies at length on the subject. The very provision that the witness who supports the bill may testify, which is put so strongly, may be deleted when the committee acts on it, or when the bill reaches the floor of the Senate. The Hoover Commission reports and the task force reports must be weighed in the light of this situation. Because the Hoover Commission deleted or rejected much that its task forces recommended.

I may say that in my humble opinion, having served on that Commission, it was never the intent of the Commission, by any language it used anywhere or at any time, to have these regulatory bodies tampered with through a reorganization which goes to the extent of having any effect, influence, control, supervision, or direction over their quasi-judicial or quasi-legislative functions. I am sure the Commission never had any such purpose, whatever language one may find in the report.

Mr. President, surely I should like to see reorganization. I, too, have received a great many letters urging adoption of the Hoover Commission report. But

let us bear this in mind, that in what has been said by Citizens' Committee for the Hoover Report, which has been organized to carry on this program, to educate the people of the country and to acquaint them with this reorganization plan, and to build up support for it, there has been no differentiation as to proper and effective reorganization. The general program, the general theme, has been to get reorganization, with the idea that the Government will thereby save from \$3,000,000,000 to \$5,000,000,000 a year. I dare say there is not a Senator on the floor now, and there will not be one here, who can pick up one of these plans and point to one dollar's saving in it. The whole theme regarding saving is theoretical. It is not laid down in practical evidence by which it can be properly understood.

What is wrong with this agency, the ICC, that it must be reorganized? Mr. President, if you search the record of the testimony you will not find one statement of inefficiency, you will not find any proof of lack of economy. What is the purpose of reorganizing it? All one needs to do is to read the plan itself, to find that the whole effect of it is to converge power. It is not to promote efficiency, it is not to reorganize in order to effect economies, but it is to concentrate more and more power. Where? Under the direction and control and authority of the Chief Executive of this Nation. Let us see whether I am correct about it.

We are placing great emphasis here, as we consider these reorganization plans, on this Citizens' Committee for the Hoover Report. Let us turn to the evidence. We had a witness who testified for this plan who said he was representing the citizens' committee, that he was testifying on behalf of the citizens' committee for this very plan, and in opposition to the resolution. Turning to page 130 of the hearings on Reorganization Plans 7, 8, 9, and 11 of 1950, we find that Mr. Leventhal, who testified for this plan as a representative of the citizens' committee, was asked this question:

Who makes the determination for the citizens' committee as to what it shall support when they come down here, etc.

His answer was that he did not know. I said the Congress was entitled to know. I asked:

Do they have an executive board?

He did not know. Read it, Mr. President. He could not tell. He said he would try to get the information. A few days later I received a letter from Mr. Robert L. Johnson, which will be found on page 138 of the hearings. From his letter we find out who makes the decisions. Mr. President, listen to this. After a considerable amount of rehashing, we here get down to the meat of it. Mr. Johnson said:

The committee's policies are determined by its board of directors in accordance with the charter and bylaws under the laws of the State of New York in which it was incorporated. At the last meeting of the board of directors, I, as chairman, was authorized to act as spokesman for the citizen's commit-

tee and to consult with members of the Hoover Commission and its task forces on matters on which special information was required. I was also authorized to undertake two principal steps with regard to legislative measures and Presidential reorganization plans—

Mr. President, listen to this. He is authorized, he is speaking for the entire Commission.

First, to have studies made by the committee's staff in order to determine factually the extent to which such measures and plans conform with or differ from the majority recommendations of the Commission on Organization of the Executive Branch of the Government; and, second, to endorse those matters which are, after such studies, so determined to be generally in accord with the recommendations of that Commission.

The entire power of that citizens' committee has been vested in one man, who makes the decisions. One man is selecting the representatives of that committee to come before the Senate committees to testify in its name. No board or subcommittee of the citizens' committee passes upon and determines the policies.

I think we are entitled to something a little better than that, if we are going out to propagandize the country—and I believe in it; I believe every citizen should be made as fully acquainted with the Hoover Commission's recommendations as possible. But I know we talk about receiving letters. I know that many persons write to us who know nothing about the subject, who know nothing of what is in the plans, or what their effect will be. They have not studied the plans. They are simply thinking in terms of a great sprawling government which ought to be reorganized, that it ought to be reorganized to put into effect the general objectives of the reorganization act. The objectives are greater efficiency and greater economy in government. The writers of these letters have been thinking in terms of the statements which have been made by the Chairman of the Hoover Commission—with which I do not agree—that if all the Hoover Commission's recommendations were adopted, there would be effected a saving of from \$3,000,000,000 to \$5,000,000,000 a year. I have never expected so great a saving from it, and, if the plans which come to the Senate are an indication or an example of the economy that is going to result from the reorganization, then I think the entire \$3,000,000,000 or \$5,000,000,000 will evaporate.

Speaking of this particular plan—and I must hurry on—a plan which deals with the greatest transportation system in the world, that regulatory body, regulating all our commerce—and, Mr. President, I do not have time to refer to the testimony, but representatives of management, of ownership, of the transportation systems testified.

Not only that, Mr. President, but representatives of labor testified. One representative of labor listed the number of organizations he represented. He stated that practically all of the labor organizations within the railroad systems were against it, that labor in transportation is against it, and management in transportation is against it. Patrons

of transportation facilities are opposed to it.

What is the reason for that opposition? Because, Mr. President, they have respect for the present independent agency which Congress has created as an agency of Congress. They do not want executive power over it, any more than they want Congress to control it. They want it to be independent.

What is to be gained by this reorganization plan? Let us go back to the citizens' committee representative. Let us see what he said is to be gained. I read the concluding paragraph of his prepared statement before the committee. Listen to this: I quote:

In addition, designation of the Chairman by the President is likely to improve channels of communication with the Executive.

Why do we need to improve channels of communication from the Commission to the President? Why do we need to improve channels of communication if the Commission is to be independent, to act independently in making judicial decisions on the basis of facts developed before it?

The witness went on to say:

Commissioners, although independent—

Listen to this—

do not live in a vacuum.

Does that have any significance, Mr. President? He went on to say:

They may and rightly should give consideration to the President's views on national policies without in any way being bound by those views.

What does that mean? Unless they expect the Chief Executive's policies to have some influence, unless they expect them to be effective, although not binding, why is it necessary?

Why, Mr. President, we may just as well have the Committee on Interstate and Foreign Commerce influence the Commission. We want to keep it independent. It has been said that it will still be independent if the President has the power to appoint the Chairman. Will it? Suppose we delegate to the Chairman the enumerated powers in this plan, how long does the Chairman serve? He serves at the will of the President. What does "will" mean? At the President's pleasure. How long would he be pleased? He would not be pleased very long if the Chairman did not carry out his policies. We know that.

We may as well have the test right now, Mr. President. Are we going to reorganize for efficiency and economy, or are we going to reorganize for the concentration of more and more power in a centralized head of the Government? That is the test. Whether we vote for or against these plans, Mr. President, means something.

Some question has been raised about the committee being inconsistent. My vote has not been inconsistent. I have voted against controls over regulatory agencies, and I intend to continue to vote against them. I do not believe these agencies, which are really a branch of the legislative body itself, should be subjected to any undue influence from any source in the performance of their func-

tions. Let us keep them independent. There is no complaint against them. Who has complained? I have not heard of any complaint, and there is none in the record. There are plenty of places in Government to reorganize, where economies can be effected and where some efficiency might be gained. Let us not go into these agencies which are serving well, and with no complaint against them. The only thing in this package, Mr. President, is more and more power. If it means anything at all, that is all there is in it. We can accept it or we can reject it. I agree with the majority leader that this is a test. Let us settle the question now, and serve notice that this body wants reorganization for economy and efficiency, and not for the purpose of permitting the executive branch to grab more and more power, particularly with respect to regulatory agencies which are actually servants of the Congress itself. When that is done, Mr. President, it is not reorganization; it is concentration of power.

Let us make the test this afternoon. Let these plans go back. Let the President send plans which in some measure conform to the Hoover recommendations. Then we can try to do an effective and successful job of reorganizing toward the general objectives of the Reorganization Act.

Mr. LONG. Mr. President, will the Senator yield for a question?

Mr. McCLELLAN. I yield.

Mr. LONG. Does not the Senator's argument boil down to the fact that the Hoover Commission never recommended that the President be given authority to designate the Chairman, and if he does designate the Chairman, the Chairman will be compelled to follow the President's views, while, if the Commission designates its own Chairman, he will have to follow the Commission's views?

Mr. McCLELLAN. The Commission has power to submit to the Chairman any task it wants him to perform, by a simple resolution. Once it delegates it to the Chairman it can withdraw it if the duty is not properly performed. If the President appointed the Chairman, the Commission would be helpless if it did not perform its duties in accordance with the wishes of the President.

Mr. President, this plan should be overwhelmingly defeated. I hope it will be.

Mr. HUMPHREY. Mr. President, I desire to make a brief comment. If the position of the Senator from Arkansas is to be followed, then I suggest that Reorganization Plan No. 6, which was adopted last year, be repealed, because that plan, which pertained to the Maritime Commission, is identical with the reorganization plan which is now before the Senate pertaining to the Interstate Commerce Commission.

Furthermore, I suggest that the observations in the general recommendations on regulatory commissions made by the Hoover Commission fall within the objectives and purposes of Reorganization Plan No. 7. In fact, Reorganization Plan No. 7 is in strict accordance with the recommendations of the Hoover Commission and its task force on regu-

latory agencies. The Senator from Minnesota pointed out that fact, and it was pointed out and well documented by the majority leader. The majority leader pointed out the recommendations of the Citizens' Committee report, as well as the recommendations of the head of the Hoover Commission, the former President of the United States, Mr. Herbert Hoover.

I hope the Senate will approve this plan. It is perfectly obvious that every time a reorganization plan comes here it will be met with a frontal assault, with testimony on the part of interested parties. It is perfectly understandable that interested parties would like to leave things as they are.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. LUCAS. In addition to what the Senator from Minnesota has said, the able Senator from Connecticut [Mr. BENTON] pointed out this afternoon, when there were only three Senators on the floor, that the Congress of the United States on six different occasions has passed laws delegating to the chairmen of various commissions the same kind of power which is asked for in this reorganization plan. In other words, Congress cannot consistently take the position of the proponents of the resolution in view of the laws it has enacted. As the Senator from Connecticut has pointed out, on six different occasions Congress has given chairmen of boards the power which the President seeks in this Reorganization Plan No. 7.

Mr. JOHNSON of Colorado and other Senators rose.

Mr. HUMPHREY. My time has about expired, and I wish to conclude my argument. The general policy of the chairman is established by the vote of the regulatory commission. The powers of delegation are made by the members of the regulatory commission. Under the reorganization plans, the chairman of a commission has only those powers which are inherent in the law and which have been delegated by the members of the commission. I hope the Senate will approve the plan and reject the resolution.

Mr. McCLELLAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum has been suggested. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Fulbright	Kilgore
Benton	George	Knowland
Brewster	Gillette	Langer
Bricker	Green	Leahy
Bridges	Gurney	Lehman
Butler	Hayden	Lodge
Byrd	Hendrickson	Long
Cain	Hill	Lucas
Capehart	Hoey	McCarran
Chapman	Holland	McCarthy
Connally	Humphrey	McClellan
Cordon	Hunt	McFarland
Darby	Ives	McKellar
Donnell	Jenner	McMahon
Douglas	Johnson, Colo.	Malone
Dworshak	Johnson, Tex.	Martin
Eastland	Johnston, S. C.	Maybank
Ecton	Kefauver	Mundt
Ellender	Kerr	Myers
Ferguson		Neely



Robertson	Stennis	Wherry
Russell	Taylor	Wiley
Saltonstall	Thomas, Okla.	Williams
Schoeppel	Thomas, Utah	Withers
Smith, Maine	Thye	Young
Smith, N. J.	Tydings	
Sparkman	Watkins	

The PRESIDING OFFICER. A quorum is present.

The question is on agreeing to Senate Resolution 253.

Mr. JOHNSON of Colorado. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. DOUGLAS. A parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DOUGLAS. Will not the Chair state the precise question before the Senate?

The PRESIDING OFFICER. The question is on agreeing to Senate Resolution 253. Those in favor will vote "yea" when their names are called and those opposed will vote "nay."

Mr. DOUGLAS. Those in favor of Reorganization Plan No. 7 should vote "nay" and those who are opposed to Reorganization Plan No. 7 should vote "yea"?

The PRESIDING OFFICER. The resolution provides that the Senate does not favor Reorganization Plan No. 7. The clerk will call the roll.

The legislative clerk called the roll.

Mr. MYERS. I announce that the Senator from New Mexico [Mr. ANDERSON] is absent by leave of the Senate.

The Senator from New Mexico [Mr. CHAVEZ], the Senator from Maryland [Mr. O'CONNOR], and the Senator from Florida [Mr. PEPPER] are absent on public business.

The Senator from California [Mr. DOWNEY], and the Senator from North Carolina [Mr. GRAHAM] are absent because of illness.

The Senator from Delaware [Mr. FREAR], and the Senator from Washington [Mr. MAGNUSON] are absent by leave of the Senate on official business.

The Senator from Montana [Mr. MURRAY] is absent because of a death in his family.

The Senator from Wyoming [Mr. O'MAHONEY] is detained on official business.

The Senator from New Mexico [Mr. CHAVEZ] is paired on this vote with the Senator from Maryland [Mr. O'CONNOR]. If present and voting, the Senator from New Mexico would vote "yea," and the Senator from Maryland would vote "nay."

Mr. SALTONSTALL. I announce that the Senator from Vermont [Mr. FLANDERS], the Senator from Iowa [Mr. HICKENLOOPER], the Senator from Colorado [Mr. MILLIKIN], the Senator from Oregon [Mr. MORSE], and the Senator from Michigan [Mr. VANDENBERG] are absent by leave of the Senate. If present and voting the Senator from Iowa [Mr. HICKENLOOPER], the Senator from Colorado [Mr. MILLIKIN], and the Senator from Oregon [Mr. MORSE], would each vote "yea."

The Senator from Ohio [Mr. TAFT] and the Senator from New Hampshire [Mr. TOBEY] are detained on official business.

The yeas and nays resulted—yeas 66, nays 13, as follows:

#### YEAS—66

Aiken	Hendrickson	Martin
Brewster	Hill	Maybank
Bricker	Hoey	Mundt
Bridges	Holland	Myers
Butler	Hunt	Neely
Byrd	Ives	Robertson
Cain	Jenner	Russell
Capehart	Johnson, Colo.	Saltonstall
Chapman	Johnson, Tex.	Schoeppel
Connally	Johnston, S. C.	Smith, Maine
Cordon	Kem	Smith, N. J.
Darby	Kerr	Stennis
Donnell	Kilgore	Taylor
Dworschak	Langer	Thomas, Okla.
Eastland	Lodge	Thomas, Utah
Ecton	Long	Thye
Ellender	McCarran	Tydings
Ferguson	McCarthy	Watkins
Fulbright	McClellan	Wherry
George	McFarland	Wiley
Gurney	McKellar	Withers
Hayden	Malone	Young

#### NAYS—13

Benton	Kefauver	McMahon
Douglas	Knowland	Sparkman
Gillette	Leahy	Williams
Green	Lehman	
Humphrey	Lucas	

#### NOT VOTING—17

Anderson	Hickenlooper	O'Mahoney
Chavez	Magnuson	Pepper
Downey	Millikin	Taft
Flanders	Morse	Tobey
Frear	Murray	Vandenberg
Graham	O'Connor	

The PRESIDING OFFICER. On this vote the yeas are 66, the nays 13. A majority of the authorized Members of the Senate having voted in the affirmative, the resolution (S. Res. 253) is agreed to.

#### REORGANIZATION PLANS

Mr. JOHNSON of Colorado obtained the floor.

Mr. McCLELLAN. Mr. President, will the Senator from Colorado yield to me?

Mr. JOHNSON of Colorado. I yield.

Mr. McCLELLAN. I wish to make an announcement for the information of the Senate. Twenty-one reorganization plans were originally sent to the Congress, some 2 months ago, on which the deadline will be Tuesday night, and I wish to announce that the Committee on Expenditures in the Executive Departments, to which they were referred, has taken action on all 21, with the following results:

The committee has reported favorably 10 of the plans against which no resolution of disapproval was submitted. Of the 11 plans against which resolutions of disapproval have been submitted, the committee reported four of the resolutions favorably, three unfavorably, and four have been reported without recommendation.

I may say that one reason for reporting three of the last four without recommendation was the fact that the committee does not have time to make reports on them. We concluded the hearings, but the hearings have not yet been printed, and we simply did not have time to give the resolutions the further deliberation we felt they should have.

I call this to the attention of the Senate, and will have the hearings printed as quickly as possible, so that each Senator may have an opportunity to study the record and make up his mind with respect to the merits of the various resolutions.

#### REORGANIZATION PLAN NO. 11

Mr. JOHNSON of Colorado. Mr. President, in a moment I shall move to proceed to the consideration of Senate Resolution 256 with respect to Reorganization Plan No. 11. If that motion is agreed to I shall ask unanimous consent that 15 minutes be allotted to each side, and that a vote be taken at the end of the 30-minute period.

Mr. President, I now move that the Senate proceed to the consideration of Senate Resolution 256 relating to Reorganization Plan No. 11 of 1950.

The PRESIDING OFFICER. (Mr. CHAPMAN in the chair). The resolution will be read.

The Chief Clerk read the resolution (S. Res. 256), as follows:

*Resolved*, That the Senate does not favor the Reorganization Plan No. 11 transmitted to Congress by the President on March 13, 1950.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Colorado [Mr. JOHNSON].

The motion was agreed to; and the Senate proceeded to consider the resolution.

Mr. JOHNSON of Colorado. Mr. President, I move to limit debate to 15 minutes to each side, making a total of 30 minutes for both sides.

Mr. LUCAS. Mr. President, reserving the right to object, I understand that the Senator has made a motion?

Mr. JOHNSON of Colorado. I have put it in the form of a motion, yes.

Mr. LUCAS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. LUCAS. Is that motion debatable?

The PRESIDING OFFICER. The motion is not debatable under the rules.

Mr. LUCAS. Mr. President, I ask unanimous consent to speak for 1 minute.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Illinois? The Chair hears none, and the Senator from Illinois may proceed.

Mr. LUCAS. Mr. President, under the rule 10 hours is provided for debate. It seems to me that 15 minutes to each side is not a sufficient amount of time.

Mr. JOHNSON of Colorado. I may say to the Senator that the various plans reported from the committee are all of one kind. The Senator himself made a statement to that effect a few moments ago. We have discussed plan No. 7 quite thoroughly. It would seem that we could proceed with the plan now before the Senate without repeating all the debate that was had previously on plan No. 7.

Mr. LUCAS. It seems to me that 15 minutes on each side on a reorganization plan so important as this one is not sufficient.

Mr. JOHNSON of Colorado. How much time does the Senator suggest?

Mr. LUCAS. I am not a member of the committee. I do not know whether any other member of the committee wants to discuss the plan.

Mr. JOHNSON of Colorado. I will say to the majority leader that I do not

know of any speeches that are proposed to be made on this matter.

Mr. LUCAS. I do not know whether or not there will be any speeches made on it.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. McCLELLAN. As chairman of the Committee on Expenditures in the Executive Departments, I do not know what Senators desire to speak on this particular resolution. So far as I am concerned I have no objection to a limitation of 30 minutes. However, a limitation of an hour can be fixed if Senators desire, or some other period of time.

It is a matter of accommodating the whole membership of the Senate. So far as I am concerned I am perfectly willing that every Senator may have as much time as he wants to discuss the plan. It is a matter of accommodating ourselves, that is all I see in it. If any Senator believes he will require more time I have no objection to granting him whatever time he believes he requires.

Mr. LUCAS. May I ask the Senator from Colorado, When was the resolution of disapproval reported to the Senate?

Mr. JOHNSON of Colorado. It was voted on in the committee a week ago, but the report was placed on the calendar yesterday. However, there is a deadline which must be met, which is the 23d of May. We will have to press as hard as we can to get these plans out of the way. We must press as hard as we can if we are to have an opportunity to vote on each one of them.

Mr. LUCAS. Mr. President, so far as I am concerned I shall make no objection, because I am not a member of the committee. It seems to me that 30 minutes is not sufficient time, however, on a plan of this kind.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield to the Senator from Minnesota.

Mr. WHERRY. Mr. President, is the motion debatable?

The PRESIDING OFFICER. It is not. Mr. WHERRY. I ask for the regular order.

The PRESIDING OFFICER. The question is on the motion of the Senator from Colorado [Mr. JOHNSON].

The motion was agreed to.

Mr. JOHNSON of Colorado. I yield the Senator from Arizona [Mr. McFARLAND] 10 minutes.

The PRESIDING OFFICER. The Senator from Arizona is recognized for 10 minutes.

Mr. McFARLAND. Mr. President, it is with regret that I find myself in disagreement with the recommendations of the President of the United States upon this plan. However, it is my opinion that there is involved here a fundamental principle of government, a principle which Congress must decide for itself, because this plan, as the preceding plan which has just been discussed at length and voted down, involves one of the arms of Congress, a commission which exercises quasi-legislative and quasi-judicial functions. I personally feel that it is important that Congress preserve the independence of that commission, the

independence of which was established in the act creating that commission some years ago.

Mr. President, there was quoted this afternoon, with approval, the famous Humphrey case. That decision involved questions which are directly pertinent to the issue here and because of the importance to our Government of the principles involved, I wish again to quote from that decision. The case was one in which the President of the United States sought to remove Mr. Humphrey from the Federal Trade Commission, another independent commission. The Supreme Court held that the President did not have the power to remove the Commissioner except for the specific causes set forth in the act by the Congress. In rendering that decision, the Supreme Court used this language:

Such a body (FTC) cannot in any proper sense be characterized as an arm or an eye of the Executive. Its duties are performed without Executive leave and, in the contemplation of the statute, must be free from Executive control.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. McFARLAND. I yield.

Mr. CONNALLY. Is it not true though that the Humphrey case was based upon the idea that in the statute creating the office provision was made as to the manner in which commissioners could be removed, and that therefore any removal had to follow what was prescribed in the statute; but that without those instructions the President had the absolute right, as held in the Myers case, to remove them?

Mr. McFARLAND. That may be true, but the point I am trying to make here is the law which the Supreme Court has laid down, the principles enunciated by the Supreme Court in making its holding. I submit that they are applicable to the plan we have under consideration.

Mr. President, I have only a few minutes and I do not want to yield further until I conclude my statement. I continue to quote from the Humphrey case:

The authority of Congress, in creating quasi-legislative or quasi-judicial agencies, to require them to act in discharge of their duties independently of executive control cannot well be doubted. . . .

The fundamental necessity of maintaining each of the three general departments of government entirely free from the control or coercive influence, direct or indirect, of either of the others, has often been stressed and is hardly open to serious question. So much is implied in the very fact of the separation of the powers of these departments by the Constitution—

That is the Supreme Court of the United States talking, Mr. President—and in the rule which recognizes their essential coequality. The sound application of a principle that makes one master in his own house precludes him from imposing his control in the house of another who is master there. James Wilson, one of the framers of the Constitution and a former justice of this Court, said that the independence of each department required that its proceedings "should be free from the remotest influence, direct or indirect, of either of the other two powers."

Mr. President, this Nation has survived all these years under its Constitu-

tion, which assigns the executive, the legislative, and the judicial powers to three separate branches of our Government. Our Government has functioned marvelously well under that division of powers. I submit that we should not deviate from principles which were laid down in the Constitution, and which have been emphasized and reiterated by the Supreme Court of the United States.

Mr. President, I shall not attempt at this late hour to repeat the arguments which have been made with respect to the Interstate Commerce Commission. However, it has been thoroughly demonstrated that the Hoover Commission did not recommend that the President of the United States be given the power to appoint the chairmen of these commissions. However, it was only the task force which recommended that the chairmen of the commissions be appointed by the President. The Hoover Commission itself recommended only the transfer of certain powers to the chairmen.

Mr. President, there is a distinct difference between transferring certain functions of a commission to a man who owes his appointment as chairman of the commission to the President of the United States, and transferring those functions to a chairman who owes his appointment as chairman to the commission itself.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. McFARLAND. Mr. President, I am sorry that I cannot yield at this time. I have only a few minutes remaining. The Senator from Illinois will have his own time to reply.

The PRESIDING OFFICER. The Senator from Arizona declines to yield.

Mr. McFARLAND. Mr. President, it is very important that we recognize the distinction to which I have just referred, because when the chairman of the commission is appointed by the commission itself, the commission can remove him from the office of chairman if he tries to coerce or influence either the commission members or the members of the staff in a particular instance.

Certainly the staffs of these independent agencies have become more and more important. The commissioners must consult the staff for advice and for expert opinions on the various subjects the commission handles. Are the commissioners going to have to consult staff members who do not owe allegiance to them? Are the commissioners to be placed in a position where they will not be able to function independently because staff work and staff opinions, on which they must rely, are prepared under the direction of the chairman, who, in turn, is wholly within the domination of the executive? These commissioners need experts to advise them and they should have for that purpose experts who are responsible to the commission itself.

What did the Communications Commission itself say about this plan, following the report of the Hoover Commission? The Committee on Expenditures in the Executive Departments asked the opinion of the various commissions about these plans. This is what the Federal Communications Commission said at that time—and what I read now



is a statement by the Federal Communications Commission itself, not a statement of one member of the Commission or of its Chairman:

The Commission believes that the existing provisions of sections 4 and 5 of the Communications Act of 1934 provide sufficient flexibility to enable the Commission to delegate to the Chairman necessary authority to expedite Commission administrative activity. Under these provisions the Commission has over a period of years delegated increasing powers to the Chairman with respect to administrative matters. Administrative order No. 8 has recently been adopted setting forth this principle of Chairman initiative in Commission administration.

The Commission further said:

To the extent that any additional legislation may be deemed advisable to expressly designate the Chairman as the chief executive officer of the Commission, the language proposed in section 5 (a) of S. 1973, a bill providing for extensive changes in Commission procedure and organization which was favorably reported by the Senate Committee on Interstate Commerce on July 21, 1949, would appear to meet such requirements.

The PRESIDING OFFICER. The time of the Senator from Arizona has expired.

Mr. McFARLAND. Mr. President, will the Senator from Colorado yield further time to me?

Mr. JOHNSON of Colorado. I yield 5 minutes more to the Senator from Arizona.

Mr. McFARLAND. I thank the Senator very much.

Mr. President, I shall not use all of that time, for I wish to save a few minutes for Senators who wish to close the debate.

It is true that the Chairman of the Commission did support this plan, and I assume he had good reason therefor. However, only one other member of the Commission supported him in that respect. Two of the commissioners wrote letters in opposition to the pending plan and I call Senators' attention to those letters which will be found on pages 110 and 111 of the hearings. The remainder of the Commission took no official position publicly. I assume this was because they had previously adopted and sent to us their report in opposition to the Hoover legislative reorganization plan to which I have referred and quoted.

Mr. President, that is the situation which confronts us today. Are we going to take away the independence of these agencies? Are we going to change the fundamental character of these agencies as arms of Congress? Everyone knows that the appointive power is an important power. A staff member will naturally be guided by the wishes of the chairman of a commission and particularly so if the chairman has complete appointive and administrative power, for otherwise that staff member might lose his job.

Whether or not such developments have occurred in the past these commissions should not be put in a position where they can properly be subjected to criticism of that sort. We want to keep them on a high plane, a judicial plane, on the same level as that of our judicial system.

We must keep these commissions independent of the executive power; we must maintain their independence as arms of Congress performing quasi-judicial duties and performing the quasi-legislative duties imposed upon them by the Congress of the United States.

Mr. LUCAS. Mr. President, will the Senator from Colorado yield 4 minutes to me?

Mr. JOHNSON of Colorado. Yes.

The PRESIDING OFFICER. The Senator from Illinois is recognized for 4 minutes.

Mr. LUCAS. Mr. President, I wish to call the attention of the Senate to what I consider to be a very important point. The arguments which have been made against plan No. 7 were primarily based upon the fact that the Congress thus would give the President of the United States the power to appoint the Chairman of the Commission involved, which was the Interstate Commerce Commission.

However, Mr. President, Congress has already passed on that question, so far as the Federal Communications Commission is concerned, because Congress has already by law authorized the President to appoint the Chairman of the Federal Communications Commission. I repeat that the Congress of the United States has passed a law authorizing the President—granting to him that power—to appoint the Chairman of the Federal Communications Commission.

Mr. BRICKER. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. BRICKER. As the Senator asked the Senator from Ohio a while ago, the same principle runs through all four of these plans, does it not?

Mr. LUCAS. I understand that. However, the point I am making is that the main argument which was made in regard to the previous reorganization plan was that by it we would be delegating to the President of the United States the power to appoint the Chairman of the Commission, so that by means of appointing the Chairman of the Commission, the President would have the power to dominate the Chairman.

Mr. BRICKER. The same argument is made in all four cases; is it not?

Mr. LUCAS. That is correct. However, the point I now make is that heretofore, when the Congress established the Federal Communications Commission, Congress did that very thing, namely, Congress delegated to the President of the United States the power to appoint the Chairman of the Federal Communications Commission.

Yet, Mr. President, all this argument is made here this afternoon about the fear of certain persons that that proposal of the plan is unwarranted. Some persons do not believe that this power should be delegated to the President of the United States, thus permitting him to appoint the Chairman of the Commission. Some persons oppose the granting to the President of that power, for fear that the Chairman of the Commission himself would be subservient only to the President of the United States, not to the Congress and the people of the country.

How that fear happened to develop, I do not know. I suppose that probably at the time when the Federal Communications Commission Act was passed by the Congress, arguments similar to those made in the Senate Chamber this afternoon were made.

Nevertheless, Mr. President, in creating one of the most important Commissions of the Government, Congress established the right on the part of the President of the United States to appoint its Chairman.

What does it matter what the Hoover Commission says that Congress should do with respect to this matter? In other words, the argument to the effect that Mr. Hoover did not recommend that the President have such power, passes out of the picture entirely in this particular case, because Mr. Hoover had nothing to do with the action which previously was taken by the Congress. Before Mr. Hoover got around to making his recommendation, Congress had given the President the power to appoint the Chairman of the Federal Communications Commission.

The functions proposed by this plan to be transferred are similar to the functions proposed to be transferred by means of plan No. 7, which we discussed earlier today.

It vests in the Chairman what? The appointment and supervision of personnel. I ask any Senator whether the Chairman of that Commission ought not to have the right to appoint the personnel, and whether he should not be responsible for the supervision of the duties of the personnel of that particular agency?

Secondly, it vests in the Chairman power over the distribution of business among personnel or administrative units. Should not the Chairman of the Federal Communications Commission have the power to make a distribution of the business which comes before the Commission? Does he have to take it up with the Commission every time he makes a minor work assignment?

Mr. President, it seems to me that argument is ridiculous and fallacious.

The PRESIDING OFFICER. The time of the Senator from Illinois has expired.

Mr. LUCAS. Mr. President, may I have three more minutes?

Mr. HUMPHREY. I yield three more minutes to the Senator from Illinois.

The PRESIDING OFFICER. The Senator from Illinois is recognized for an additional 3 minutes.

Mr. LUCAS. Third, Mr. President, the expenditure of funds is lodged in the Chairman, subject to the general policies of the statutes enacted by the Congress of the United States. He is responsible to the Congress.

What else? The Chairman shall appoint the heads of major administrative units, with the approval of the Commission.

The Commission approves whatever the Chairman does with respect to the appointment of the major administrative units in the field.

The plan also provides that the regularly employed personnel in the immediate office of the Commissioners,

other than the Chairman, are not affected by the proposed reorganization plan, and that the reviewing of the budget estimates and the distribution of appropriated funds shall be reserved to the Commission.

In other words, the vital function dealing with the expenditure of money and the reviewing of budget estimates is still held within the power of the Commission itself.

Mr. President, it is difficult for me to understand why Senators will oppose this particular reorganization plan, in view of the fact that they have already placed in the hands of the President the power to appoint the kind of chairman he wants, not the kind of chairman the Commission wants.

That has been the sole argument all afternoon, that we should not delegate this power, and should not give to the President, but should retain in the Congress as the prerogative of Congress the appointment of chairmen. It has been argued that we should not give the President of the United States, whoever he may be, that kind of unwarranted power, because he may at some time use it in an arbitrary and capricious manner.

Mr. President, this resolution should be defeated, if we believe in reorganization of the Government. If we want to continue to do as we have always done and not reorganize the Government, disappointing the Citizens' Committee, disappointing those people throughout the country who are constantly writing to us to reorganize the Government—in that case, Senators should vote in line with the resolution of disapproval.

The PRESIDING OFFICER. The time of the Senator from Illinois has expired.

Mr. HUMPHREY. Mr. President, it appears that each one of the members of the Committee on Expenditures in the Executive Departments is generally privileged to read the reports, listen to some of the testimony, and decide upon these plans. There devolves upon me the duty of making a comment pertaining to the majority report, a copy of which is on the desk of each Senator. The majority report is an unfavorable report upon the resolution of disapproval, which means, in other words, that the President's plan should be approved, and that the resolution which is now under consideration should be rejected by the Members of the Senate.

I must say that the evidence before the committee was rather overwhelming as to the need of this reorganization plan. Apparently the weight of the Hoover Commission evidence or task force evidence is not too persuasive. However, one of the most important witnesses before the Senate Committee on Expenditures in the Executive Departments was Mr. Harold Leventhal, who served as a consultant to the Hoover Commission and as an executive officer of task force No. 16, which reported on the independent regulatory commissions. Task force No. 16 consisted of Mr. Robert R. Bowie and Mr. Owen D. Young. The substance of the report and the testimony of Mr. Leventhal and others who testified in behalf of the Commission and in behalf of the Citizens'

zens' Committee for the Hoover Report has already been stated by the distinguished and able majority leader. I must say it is rather ironical that the Senate Committee on Expenditures in the Executive Departments, on the one hand, should report favorably the President's Reorganization Plan No. 11, and then report unfavorably plan No. 7, because, while I do not expect consistency to be a virtue in political life, believe me, there is plenty of inconsistency in the attitudes exemplified in the case of respective reorganization plans.

Reorganization Plans 7, 8, 9, and 11 are identical in purpose. This is Reorganization Plan No. 11. Reorganization Plans 7, 8, 9, and 11, are identical with Reorganization Plan No. 6. Reorganization Plan No. 6 was accepted by the Congress, and it did for the Maritime Commission exactly what we should have done for the Interstate Commerce Commission a moment ago, but which we did not do. Reorganization Plan No. 11 will do for the Federal Communications Commission what we did for the Maritime Commission in 1949, and what we should have done for the Interstate Commerce Commission 25 minutes ago. If we want to have consistency, I do not know how we are going to attain it unless we declare a stalemate and take no action. The United States Senate has approved one reorganization plan and rejected another one having identical language and purpose, but relative to another commission. In other words, for the Maritime Commission we said "Yes, let us reorganize it." For the Interstate Commerce Commission we say "Let us not reorganize it," under the same kind of plan. The committee now comes forward with the majority report in which I concurred. I refer to the majority report of disapproval of the resolution which, in effect, says, "Let us reorganize the Federal Communications Commission."

What does this reorganization plan propose to do? The Congress has already given the President power to appoint the members of the Federal Communications Commission, which was described today in the course of the debate on the previous resolution as being a "terrible power," calculated to give our great Executive influence over an agency. But we, the Congress of the United States, provided by statute that the members of the Federal Communications Commission and its Chairman should be appointed by the President and supposedly he is under the direction of the President.

What does this plan do? It merely puts into permanent form an administrative plan which is already in operation in the Federal Communications Commission. As a matter of fact, there is at the present time an Executive order, Federal Communications Commission Administrative Order No. 8, which is practically identical with Reorganization Plan No. 11. This administrative reorganization plan, Administrative Order No. 8, of the Federal Communications Commission, has already been in effect for 1 year and I have not noticed a great deal of dictatorship.

What this plan authorizes is merely that the plan which has been in effect for 1 year on a temporary basis shall become a permanent administrative plan for the organization. It will be noted that we are relieved of the responsibility of designating the Chairman of the Commission, because Congress in its wisdom has already done that through a Presidential selection. I want to repeat that what the Congress did for the Federal Communications Commission by permitting the President to appoint its Chairman, it just now denied the Interstate Commerce Commission.

This reorganization plan then says that an administrative order which has worked successfully for a year shall be incorporated into public law by Reorganization Plan No. 11, and I submit that the majority of the committee concurred in that point of view. The majority of the committee concurred in the reorganization plan of the President. The majority of the committee asked that that reorganization plan be accepted. It asked that the resolution itself which is before the Senate be rejected.

I hope, Mr. President, that some time in the consideration of these reorganization plans we shall make up our minds what we want, because the Hoover Commission's task force and the Commission itself set forth a general pattern for regulatory commissions. The way the score stands now, it is one for reorganization of the Maritime Commission and one against reorganization of the Interstate Commerce Commission. This is the third strike in the ball game of reorganization. It is doubtful what will happen, but I hope the Senate will make a home run, or, at least, a safe hit, on Reorganization Plan No. 11.

The PRESIDING OFFICER. The Senator from Colorado has 3 minutes remaining.

Mr. JOHNSON of Colorado. Mr. President, the junior Senator from Minnesota said that the Chairman of the Federal Communications Commission was appointed by the President and that we have seen no dictatorship in that office. I want to read to him from his own committee report. His own committee asked its staff to get information from all the commissions, and this was the result:

Of the five agencies from which information was required in the compilation of this memorandum, only the Federal Communications Commission has declined to cooperate.

The only agency which declined to cooperate was the Federal Communications Commission, whose Chairman was appointed by the President of the United States. I read further:

In view of the necessity for expeditious accumulation of the data asked, the staff made requests by telephone for the several reports required.

Did they fail to report because they did not have time to prepare something? That is not it. Listen to these words:

We are advised—

This is the committee speaking—

We are advised by the Federal Communications Commission that the material requested by us had been prepared, but the



delivery thereof was countermanded by the Commissioner, understood to be Mr. Wayne Coy, Commission Chairman.

He was appointed by the President; and the Senator from Minnesota said there was no dictatorship. The Commission prepared a report, Congress wanted that report, but Mr. Wayne Coy vetoed the request. I call that dictatorship.

Mr. President, I desire to make an additional point. It is true that the President appoints the Chairman of the Federal Communications Commission, but there are powers under the reorganization plan which have always been exercised by the Commission itself and which are being exercised by the Commission itself at the present time, but which Reorganization Plan No. 11 changes and gives to the Chairman who is appointed by the President. This plan gives all the powers of the Commission to the Chairman, so that he can become, in the operation of the Commission, a complete dictator, just as he indicated he would become when a committee of the Senate asked him for a report on the operation of the Commission. After the report had been prepared, he said, "Nothing doing. Congress shall not get that report."

The VICE PRESIDENT. The question is on agreeing to the resolution of disapproval of Reorganization Plan No. 11. Those Senators who are in favor of disapproval will vote "yea," and those who are in favor of Reorganization Plan No. 11 will vote "nay."

Mr. LONG and other Senators asked for the yeas and nays.

The yeas and nays were ordered, and the legislative clerk called the roll.

Mr. MYERS. I announce that the Senator from New Mexico [Mr. ANDERSON] is absent by leave of the Senate.

The Senators from Virginia [Mr. BYRD and Mr. ROBERTSON], the Senator from Iowa [Mr. GILLETTE], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Oklahoma [Mr. THOMAS], and the Senator from Kentucky [Mr. WITHERS] are detained on official business.

The Senator from New Mexico [Mr. CHAVEZ], the Senator from Maryland [Mr. O'CONNOR], and the Senator from Florida [Mr. PEPPER] are absent on public business.

The Senator from California [Mr. DOWNEY], and the Senator from North Carolina [Mr. GRAHAM] are absent because of illness.

The Senator from Delaware [Mr. FREAR], and the Senator from Washington [Mr. MAGNUSON] are absent by leave of the Senate on official business.

The Senator from Montana [Mr. MURRAY] is absent because of a death in his family.

The Senator from Virginia [Mr. ROBERTSON] is paired on this vote with the Senator from Washington [Mr. MAGNUSON]. If present and voting, the Senator from Virginia would vote "yea," and the Senator from Washington would vote "nay."

The Senator from Oklahoma [Mr. THOMAS] is paired on this vote with the Senator from Maryland [Mr. O'CONNOR]. If present and voting, the Senator from

Oklahoma would vote "yea," and the Senator from Maryland would vote "nay."

Mr. WHERRY. I announce that the Senator from Vermont [Mr. FLANDERS], the Senator from Iowa [Mr. HICKENLOOPER], the Senator from Colorado [Mr. MILLIKIN], the Senator from Oregon [Mr. MORSE], and the Senator from Michigan [Mr. VANDENBERG] are absent by leave of the Senate. If present and voting the Senator from Oregon [Mr. MORSE] would vote "nay."

The Senator from Ohio [Mr. TAFT] and the Senator from Delaware [Mr. WILLIAMS] are detained on official business.

The Senator from Massachusetts [Mr. SALTONSTALL] is necessarily absent.

The Senator from Iowa [Mr. HICKENLOOPER] is paired with the Senator from Delaware [Mr. WILLIAMS]. If present and voting, the Senator from Iowa would vote "yea," and the Senator from Delaware would vote "nay."

The Senator from Colorado [Mr. MILLIKIN] is paired with the Senator from Massachusetts [Mr. SALTONSTALL]. If present and voting, the Senator from Colorado would vote "yea," and the Senator from Massachusetts would vote "nay."

The yeas and nays resulted—yeas 50, nays 23, as follows:

#### YEAS—50

Brewster	Gurney	McFarland
Bricker	Hayden	McKellar
Bridges	Hendrickson	Malone
Butler	Hill	Martin
Cain	Hoey	Maybank
Capehart	Holland	Mundt
Chapman	Hunt	Russell
Connally	Jenner	Schoeppel
Cordon	Johnson, Colo.	Smith, Maine
Darby	Johnson, Tex.	Stennis
Donnell	Johnston, S. C.	Thomas, Utah
Dworshak	Kern	Tydings
Eastland	Kerr	Watkins
Eaton	Long	Wherry
Ferguson	McCarran	Wiley
Fulbright	McCarthy	Young
George	McClellan	

#### NAYS—23

Alken	Kilgore	Myers
Benton	Knowland	Neely
Douglas	Langer	Smith, N. J.
Ellender	Leahy	Sparkman
Green	Lehman	Taylor
Humphrey	Lodge	Thye
Ives	Lucas	Tobey
Kefauver	McMahon	

#### NOT VOTING—23

Anderson	Hickenlooper	Robertson
Byrd	Magnuson	Saltonstall
Chavez	Millikin	Taft
Downey	Morse	Thomas, Okla.
Flanders	Murray	Vandenberg
Frear	O'Connor	Williams
Gillette	O'Mahoney	Withers
Graham	Pepper	

The VICE PRESIDENT. On this vote the yeas are 50, the nays are 23. A majority of the authorized membership of the Senate having voted in the affirmative, the resolution (S. Res. 256) is agreed to.

#### ORDER OF BUSINESS

Mr. LUCAS. Mr. President, it is 6:05 o'clock. Are there any more reorganization plan resolutions to be presented?

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. LUCAS. Yes.

Mr. WHERRY. I am very serious in asking the distinguished majority leader

if there be any objection to a unanimous-consent request to take up the concurrent resolution which the junior Senator from Nebraska submitted yesterday for relief and aid to Winnipeg, Canada.

Mr. LUCAS. Mr. President, I have not had an opportunity to communicate with the State Department or with any other agency of the executive branch of the Government, to ascertain whether they have any interest in it. I have not had any telegram or communication from Canadian people requesting that I have the resolution move forward. So that I think we should wait for another day or two before we consider the resolution.

Mr. WHERRY. Does the Senator object to a unanimous-consent request?

Mr. LUCAS. I would have to object under those circumstances.

Mr. President, I am serious about these reorganization plans. If any other resolutions are to be presented it seems to me we should take them up at this time and dispose of them, because we are trying to move along as fast as possible. If any Senator has ready a resolution of disapproval to any reorganization plan, I think we should take it up now while Senators are on the floor.

Mr. KEM. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. KEM. Mr. President, I ask unanimous consent that I may have the floor when the Senate convenes tomorrow.

The VICE PRESIDENT. Is there objection to the request of the Senator from Missouri?

Mr. CONNALLY. I object. I do not object because it is the Senator from Missouri, but because I do not think it would be proper to grant such a request. The rules prescribe that the Presiding Officer shall recognize Senators. In presiding over the Senate he recognizes Senators who wish to be recognized. In my opinion, to pledge the Senate to do something which it has no authority to do is not proper. I shall have to object to the request.

#### EXECUTIVE SESSION

Mr. LUCAS. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to consider executive business.

The VICE PRESIDENT. If there be no reports of committees, the nominations on the Executive Calendar will be stated.

#### UNITED STATES ADVISORY COMMISSION ON EDUCATIONAL EXCHANGE

The legislative clerk read the nomination of Harold W. Dodds, of New Jersey, to be a member of the United States Advisory Commission on Educational Exchange.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

Mr. DONNELL. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. DONNELL. Mr. President, my parliamentary inquiry is directed to whether or not there was any suggestion, motion, or observation made to the

effect that the President should be notified of the confirmation.

The VICE PRESIDENT. There was no such observation, motion, or suggestion.

Mr. DONNELL. I may say to the Chair that I expect to make objection to such suggestion or motion if it is made.

The legislative clerk read the nomination of Edwin B. Fred, of Wisconsin, to be a member of the United States Advisory Commission on Educational Exchange.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

#### UNITED NATIONS EDUCATIONAL, SCIENTIFIC, AND CULTURAL ORGANIZATION

The legislative clerk read the nomination of Howland H. Sargeant, of Rhode Island, to be a representative of the United States of America to the fifth session of the United Nations Educational, Scientific, and Cultural Organization.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of George D. Stoddard, of Illinois, to be a representative of the United States of America to the fifth session of the United Nations Educational, Scientific, and Cultural Organization.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Miss Bernice Baxter, of California, to be a representative of the United States of America to the fifth session of the United Nations Educational, Scientific, and Cultural Organization.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Isidor I. Rabi, of New York, to be a representative of the United States of America to the fifth session of the United Nations Educational, Scientific, and Cultural Organization.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of George F. Zook, of Virginia, to be a representative of the United States of America to the United Nations Educational, Scientific, and Cultural Organization.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

#### ECONOMIC COMMISSION FOR ASIA AND THE FAR EAST

The legislative clerk read the nomination of Edwin F. Stanton, of California, to serve as the representative of the United States of America on the Economic Commission for Asia and the Far East.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

#### DIPLOMATIC AND FOREIGN SERVICE

The legislative clerk proceeded to read sundry nominations in the diplomatic and foreign service.

Mr. LUCAS. Mr. President, I ask unanimous consent that the nominations in the Diplomatic and Foreign Service be confirmed en bloc.

The VICE PRESIDENT. Without objection, the nominations are confirmed en bloc.

Mr. DONNELL. Mr. President, a further parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. DONNELL. I desire to be correct in understanding that no motion was made and no action taken toward directing that the President be notified of the confirmation of the nominations.

The VICE PRESIDENT. If any such motion or suggestion was made, it escaped the attention of the Chair.

#### LEGISLATIVE SESSION

Mr. LUCAS. I move that the Senate proceed to the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

#### FEDERAL FAIR EMPLOYMENT PRACTICE ACT

The Senate resumed the consideration of the motion of Mr. LUCAS to proceed to the consideration of the bill (S. 1728) to prohibit discrimination in employment because of race, religion, or national origin.

Mr. LONG. Mr. President, I ask unanimous consent that when the Senate meets at 12 o'clock tomorrow I may have the floor.

Mr. LUCAS. The Senator from Texas just objected to the Senator from Missouri having similar unanimous-consent request granted. In view of the request made a moment ago by the Senator from Missouri and the objection of the Senator from Texas, I shall be constrained to object.

The VICE PRESIDENT. Objection is heard.

Mr. LONG. I withdraw the request.

Mr. President, I desire to speak on the pending question before the Senate, the motion of the Senator from Illinois to proceed to the consideration of the fair-employment-practice bill, unless there is other business before the Senate at this time. A parliamentary inquiry. Is there other business before the Senate?

The VICE PRESIDENT. The Senator has stated the pending question.

Mr. LONG. The motion of the Senator from Illinois to proceed to the FEPC bill is the pending question?

The VICE PRESIDENT. The Senator is correct. The Senate is now in legislative session, and automatically returns to the consideration of the unfinished business.

Mr. WHERRY. Mr. President, will the Senator from Louisiana yield?

Mr. LONG. I yield.

Mr. WHERRY. How long does the distinguished Senator from Louisiana expect to speak?

Mr. LONG. Approximately 1 or 2 hours.

Mr. WHERRY. Will the Senator yield that I may propound a question to the distinguished majority leader?

Mr. LONG. I ask unanimous consent that I may yield to the distinguished Senator from Nebraska in order that he may propound a question to the majority leader, without prejudicing my right to the floor.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. WHERRY. How long does the majority leader intend to keep the Senate in session?

Mr. LUCAS. I had hoped we might recess a moment ago, but now that the Senator from Louisiana has the floor, as soon as he concludes, I will ask the Senate to take a recess.

Mr. WHERRY. That will be in the neighborhood of 8 o'clock, if the Senator from Louisiana carries out his intention as disclosed by his observation a moment ago, that his speech would take approximately 2 hours.

Mr. LONG. If there are very few interruptions, I may conclude my speech within 1 hour.

Mr. DONNELL. Mr. President—  
The VICE PRESIDENT. Does the Senator from Louisiana yield to the Senator from Missouri?

Mr. LONG. I ask unanimous consent that I may yield to the distinguished senior Senator from Missouri without prejudicing my right to the floor.

The VICE PRESIDENT. Is there objection? The Chair hears none.

Mr. DONNELL. May I have unanimous consent to inquire of the majority leader whether or not a motion will be made later, before a recess this evening, to take up any executive business?

Mr. LUCAS. I can say to the Senator from Missouri that the executive business has all been disposed of. We shall not return to the Executive Calendar, and the Senator will be protected in his rights.

#### Mr. DONNELL. I thank the Senator. ASSAULT ON THE AMERICAN COMPETITIVE SYSTEM

Mr. MALONE. Mr. President—

The VICE PRESIDENT. Does the Senator from Louisiana yield to the Senator from Nevada?

Mr. LONG. I ask unanimous consent that I may yield to the distinguished Senator from Nevada without prejudicing my right to the floor.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MALONE. Mr. President, total destruction of the American competitive economic system is evidently the deliberate aim of the present administration, and in this connection I call attention to the very definite pattern which the plot is following.

From an objective examination of what has been done and what is threatened to be done, the conclusion is inescapable that there is a deliberately designed pattern to overthrow the economic system which made this country great.

Mr. President, socialism, fascism, and communism have their roots in a totalitarian system. The first move of any totalitarian system, whether it be Mussolini's or Hitler's fascism, England's socialism, or Russia's communism, is to destroy any competitive economic system or any individual initiative not wholly controlled by the government.

The Socialist and "one economic world" planners have been selling a bill of goods to our country over the past 15 years with the statement that "if private industry does not provide full employment, then the Government must," and



then proceeded through a combination of free trade, taxation, and the Securities and Exchange Commission regulations to stop venture capital, and thus prevent private industry from providing such employment.

Now, after effectively slowing down the flow of venture capital into the business stream of the Nation, the same planners are saying that our national economy has not kept pace with the population, and that, therefore, Congress must furnish the money for needed business investments.

Here are the steps in the plot; here is what the socialistic plotters set out to do: (a) Make the people dependent upon a gigantic central government; (b) choose the industries and employment that are to survive—and those that are to be sacrificed on the altar of "one economic world" (b) subsidize industries that are chosen to survive; (c) buy off opposition; (d) harass businessmen; (e) curtail domestic production; (f) encourage slave-labor imports; (g) make private investment unprofitable; (h) make all production unprofitable; and (i) bring on socialism step by step through discouraging the investment of venture capital.

The President, with his new RFC plans, proposes now to have the Government lend several hundred million dollars for business development to do what his socialistic planners have prevented private American business and industry from doing.

The Spence bill, providing for an appropriation of \$15,000,000,000, is still in a House committee, and under that bill the President can build, upon his own initiative, anything from a steel mill to a cigar store, on the pretext of priming the pump or of strengthening the national economy. Its purpose, of course, is to kill private industry and bring on socialism, fascism, or communism through one-man rule.

The administration has been able to accomplish much of its socialistic aims by three methods:

(a) Taxation so designed that if an American worker or investor has a profit on invested venture capital it belongs to "Uncle", and if he has a loss it belongs to him;

(b) A foreign free trade policy so designed as to curtail domestic production and eventually pauperize American workers and investors, which is being done through the provisions of the 1934 Trade Agreements Act, as extended, by indiscriminate lowering of tariffs and import fees, importing the products of foreign countries with low-wage standard and slave labor; and

(c) Government regulations, through the Securities and Exchange Commission, so designed as to eliminate the investment of venture capital, which made this country the greatest nation in the world, all of our progress and all of our advancement having their roots in the investment of venture capital.

The American competitive system provides more and better products of all kinds, for more people, than any other system in the world. The American competitive system provided shorter hours

and higher wages than any other system in the world. The American capitalistic competitive system provided more employment opportunities and a higher standard of living than any other system in the world.

There are those who would tear down this economic system, and they have been making headway. All of those who have been helping in this destruction are not conspirators in the plot. Some are under foreign influence. Some are quite unaware of what they are doing, excusing their aid to the Socialists, or Fascist forms of government, by saying that there is an emergency. This 17-year-old emergency seems to be here to stay, and spread, unless the Congress wakes up and puts an end to these constant attacks on the American economy.

Let us not forget that our competitive economic system is as much a part of America as is our countryside, our traditions, and our form of government, and those who attack this system attack America.

Our competitive economic system, with available venture capital, is the hope of new generations to come. When the American economic system is gone, the death of the American form of government cannot be far behind. That this is known by the socialistic and "one economic world" plotters against things American is clearly indicated by the pattern being followed. That this is known by the socialistic and one-economic-world plotters against things American, is clearly indicated by the pattern which is being followed.

#### DEATH OF MRS. JAMES E. MURRAY

Mr. LUCAS. Mr. President, will the Senator from Louisiana yield to me in order that I may make a brief statement?

Mr. LONG. Mr. President, I ask unanimous consent that I may yield to the distinguished majority leader, the Senator from Illinois, without jeopardizing my rights to the floor to make a speech.

The PRESIDING OFFICER (Mr. MAYBANK in the chair). Is there objection? The Chair hears none, and it is so ordered.

Mr. LUCAS. Mr. President, I desire to call the attention of the Senate to something which happened today, concerning which I know will cause deep sorrow to every Member of the Senate. I refer to the passing away of the wife of one of our distinguished Members, the senior Senator from Montana [Mr. MURRAY].

I know of nothing that can affect a man more deeply, more grievously, than to lose his helpmate. Both the Senator from Montana and members of his family suffer from such a loss. I am sure that I express the sentiments of every Member of this body when I say that our deepest feelings of sorrow and our heartfelt sympathy go out to Senator MURRAY and the members of his family. On behalf of the Members of the Senate I send to him our condolences in his hour of trouble.

Mr. DONNELL. Mr. President, will the Senator from Louisiana yield to me?

Mr. LONG. Mr. President, I ask unanimous consent that I may yield to

the Senator from Missouri without prejudicing my rights to the floor.

The PRESIDING OFFICER (Mr. STENNIS in the chair). Is there objection? The Chair hears none, and it is so ordered.

Mr. DONNELL. Mr. President, until he made the announcement, I had not heard the sad news which has just been communicated to us by the distinguished Senator from Illinois.

It has been my privilege and pleasure to be associated as a fellow committee member with the distinguished Senator from Montana over a period now of something in excess of 5 years. I have noted in recent weeks his grief and his sorrow, and yet his bravery, in attempting to carry on his duties as if the sorrow which was so obviously impending were not before him.

Mr. President, I join in the expression of sympathy which has been so eloquently expressed by the Senator from Illinois. Now is the time when our distinguished friend and brother from Montana needs friendship, and I am sure that he will appreciate the kindly expressions of friendship which evidence to him our deep sorrow.

Mr. President, I join in the hope that there may be conveyed to our friend and brother from Montana the expression of sorrow and sympathy of every Member of the United States Senate.

Mr. DONNELL subsequently said: Mr. President, I should like the RECORD to show that the distinguished Senator from Nebraska [Mr. WHERRY] is absent, and was absent from the Senate at the time announcement was made of the death of the wife of the senior Senator from Montana. Had he been present, I am confident he would have expressed on behalf of himself and of his friends on this side of the aisle, the same sentiments of sympathy that have been expressed by other Senators this afternoon. It happened that at the moment I was occupying his seat, and both by reason of that fact, and by reason of my relations to the Senator from Montana, I expressed my feelings of sympathy for the Senator from Montana. I would not want the RECORD to indicate, however, in any sense, any lack of sympathy on the part of the distinguished minority leader, the junior Senator from Nebraska.

Mr. LANGER. Mr. President, will the Senator from Louisiana yield?

Mr. LONG. I yield to the senior Senator from North Dakota with the understanding that I shall not prejudice my rights to the floor.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. LANGER. Mr. President, my distinguished colleague from Montana [Mr. MURRAY], together with his wife, lived practically all their lives as neighbors to those of us who live in the State of North Dakota. Consequently it has been my privilege to go to Montana many, many times to visit them. I want the Members of the Senate to know that Mrs. Murray was universally beloved by the people of the State of Montana.

In behalf of the people of North Dakota particularly, I extend to the Senator from Montana their deep sympathy in the hour of his great loss.

Mr. ECTON subsequently said: Mr. President, it was with deep regret and sorrow that all of us learned a few minutes ago that the very fine lady and companion of my colleague the senior Senator from Montana [Mr. MURRAY] has passed away.

Mrs. Murray was known to all her acquaintances as a very kind and lovely person. I know that the people of Montana join us this afternoon in extending to Senator MURRAY and the remaining members of his very fine family our heartfelt sympathy in this hour of their great bereavement.

#### FEDERAL FAIR EMPLOYMENT PRACTICE ACT

The Senate resumed the consideration of the motion of Mr. LUCAS to proceed to the consideration of the bill (S. 1728) to prohibit discrimination in employment because of race, religion, or national origin.

Mr. LONG. Mr. President, I am compelled to express my surprise and disappointment that an attempt is being made to bring the FEPC bill before the Senate at this time. Certainly we know that this is one of the most controversial bills to appear before any Congress. It is a bill on which feeling runs most high, and it is a subject which generates a greater amount of strong feeling and resentment than any legislation with which I am familiar. I have always believed that it was the function of Congress to sift and to explore legislation, and that it was particularly the function of our committees to develop legislation. From reading history I have learned that one of the purposes of establishing the United States Senate as a second House of Congress was to permit hot issues to be cooled by further study after passing the House. Therefore, I felt that the Members of the United States Senate had every reason to expect that, after the heated battles which occurred on the floor of the House of Representatives in the passage of the FEPC bill in that body, we should have been entitled to the most thorough, painstaking committee hearings and committee deliberations by the proper committee servant of the United States Senate, and that we were entitled to expect a sincere effort to seek a solution to this problem of racial discrimination, which might do the greatest justice to all concerned with the least harm or injury to any.

I certainly had grounds for my hopes because, when I was a member of the Committee on Rules and Administration of the Eighty-first Congress, and the only new member from the South, at my request that great committee, under the chairmanship of the able and distinguished senior Senator from Arizona, whom we all so greatly admire, permitted 6 weeks of committee hearings to explore and develop the views of Senators in regard to the proposed change of the rules of the United States Senate. Those committee hearings were permitted at my request, although many members of both the Democratic and Repub-

lican Parties were clamoring for haste and speed to rush through a change of the rules of the Senate. Even this great body, the United States Senate itself, when a motion was brought to the floor to force an early conclusion to the hearings and the deliberations of the Committee on Rules and Administration, refused to discharge that committee from proper consideration of a change of the rules, in order that the new members of that committee might have the benefit of full hearings and in order that the old members of that committee might further develop new evidence, new testimony, and further explore previous evidence given to committees of the earlier Congresses.

My first speech on the floor of the United States Senate was in favor of the preservation of the sacred traditions and procedures of the United States Senate, which has so long served as a pillar for all the great rights we enjoy as American citizens. I have always been one to recognize that the great American Constitution, with the sacred rights there set forth, as well as the rules of the United States Senate, which I hold dear to my heart, would be no more meaningful than the words of the constitution of Soviet Russia—pious platitudes meaning nothing—had we not the men who so conscientiously interpret and believe in both the letter and the spirit of our Constitution and our rules that they would go to great pains to see that every right would be scrupulously followed and invoked, regardless of whether it was enforced for the benefit of a majority, or a minority, or even a single individual. So I must say that it pains me and distresses me beyond my powers of expression to see that this vicious piece of legislation, so bitterly despised by the people of the State that I have the honor to represent, would be forcibly taken from the committee of the Senate where it had been properly referred, without hearings and without recommendation at that time, and merely thrown on the doorstep of the Senate in the effort to force it through in the earliest and most expeditious manner.

Mr. President, few Senators realize what harm they do to our American Government when they attempt to take these short cuts for partisan advantage. How much I regret that so few Senators realize that the orderly preservation of the American Government and the preservation of rights of American citizens depend upon the insistence of Senators in Congress that the orderly processes of constitutional government be carefully and painstakingly followed with regard to legislation, and especially, Mr. President, with regard to legislation that generates so much heat.

Here we have legislation by which, its proponents contend, millions shall gain great advantages and great new opportunities; and, certainly, if that claim be true, then it necessarily must be legislation under which millions of others must suffer disadvantages and must be compelled to relinquish the full enjoyment of their rights which they consider to be a substantial portion of their enjoyment of full American citizenship with all the

privileges it entails. And so, Mr. President, I say, far from attempting to rush through this FEPC bill, it is our duty not to take this bill up at this time but to recommit it to the Committee on Labor and Public Welfare with the strong recommendation that free and full hearings be afforded all persons interested in opposing this legislation, as well as all the proponents who might desire to show why such legislation is needed and is necessary.

Mr. KEM. Mr. President, will the Senator from Louisiana yield to me, to permit me to propound a unanimous-consent request?

Mr. LONG. Yes, provided unanimous consent is given that I may do so without prejudicing my right to the floor at this time.

The PRESIDING OFFICER (Mr. STENNIS in the chair). Is there objection? The Chair hears none, and the Senator from Missouri may proceed.

Mr. KEM. Mr. President, I ask unanimous consent that I may have the floor when the Senate convenes tomorrow, provided the Senator from Louisiana has concluded his remarks by that time; or if the Senator from Louisiana has not concluded at that time, then I would ask unanimous consent to have the floor at the conclusion of his remarks.

The PRESIDING OFFICER. The Chair is advised that as a Member of the Senate he has the right to object on his own behalf. Therefore the Chair objects, for the reason that he hopes to obtain the floor himself. [Laughter.]

Mr. LONG. Mr. President, we have precedents for saying that full and free hearings should be held. We have many precedents. We have the precedent to which I have just referred, wherein the Senate Committee on Rules and Administration permitted free and full hearings, at least to the extent of permitting Senators to testify regarding their opinions on the proposed changes of the Senate rules.

We have other precedents. We have the precedent in the case of the Taft-Hartley bill, in the very opening days of the present Eighty-first Congress. I recall that at that time there were many Senators who felt that the Taft-Hartley Act should be immediately repealed, and that the measure proposing the repeal of the Taft-Hartley Act should be thrown onto the floor of the United States Senate without committee hearings, without the study of any committee.

Mr. DONNELL. Mr. President, will the Senator yield?

Mr. LONG. I yield for a question.

Mr. DONNELL. Did I correctly understand the Senator from Louisiana to indicate that committee hearings were held on the bill amending the Taft-Hartley Act, in the Eighty-first Congress, that is to say, on Senate bill 249, which was passed by the Senate?

Mr. LONG. There were committee hearings on the Thomas bill at that session. Of course, that bill would have repealed much of the Taft-Hartley Act.

Mr. DONNELL. Mr. President, will the Senator yield for a further question?

Mr. LONG. I yield for a question.



Mr. DONNELL. Is not the Senator from Louisiana mistaken in saying that hearings were held on that measure?

I premise my question on my recollection that notwithstanding the fact that members of the Committee on Labor and Public Welfare were very desirous of presenting amendments which they desired to have considered in the committee itself, the committee, notwithstanding the assurances which had been given by one of the distinguished members of the committee that there would be an opportunity for debate and discussion, itself reported the bill without affording such opportunity.

I cannot from my own personal recollection be certain that no hearings were held; but I do recall, and I ask the Senator whether he recalls, that the action to which I have referred was taken and that very strong protests were made by the Republican members of the committee, for the reason that adequate opportunity had not been given in the committee to consider the proposals of some of us on the minority side.

Mr. LONG. I was under the impression that there had been a reasonably full hearing on the bill to repeal the Taft-Hartley law. Possibly part of my impression was derived from the fact that when the bill came before the Senate at a later date, there were approximately five bound volumes of hearings on my desk, and therefore I was under the impression that the committee must have conducted rather full hearings.

I regret to hear at this time that amendments proposed by Senators were not fully considered in the committee, because I was at that time under the impression that the committee had considered such amendments.

Mr. DONNELL. Mr. President, will the Senator yield for a further question?

Mr. LONG. I yield for a question.

Mr. DONNELL. Will the Senator permit me to state, so that I may not be guilty of any misrepresentation, that I might be in error in stating that no hearings were held, but I can assure the Senator very definitely that what I have stated transpired did transpire, namely, that the amendments were not permitted to be considered, argued, and debated in the Senate Committee on Labor and Public Welfare, but action was taken immediately on the bill by the committee.

Mr. President, will the Senator yield for a further question?

Mr. LONG. I yield for a question.

Mr. DONNELL. The question is to this effect: I ask the Senator whether he recalls that on the FEPC bill, I was entirely in harmony with the view suggested by the Senator from Louisiana. I am not now taking any position with respect to the merits of that measure; but possibly the Senator from Louisiana recalls that in the Committee on Labor and Public Welfare the Senator from Missouri—and I ask whether the Senator from Louisiana knew of that fact—was one of those who took the position that we should by all means have hearings on the FEPC bill, and I voted against a motion to report the bill favorably,

and did so on the ground that we had not had hearings. Does the Senator recall that?

Mr. LONG. I do recall that, and I certainly admire the distinguished Senator from Missouri for being one of the great believers in the orderly constitutional processes of government, and I admire the consistency with which he has steadfastly maintained that we should follow the rules of the Senate and that we should act in accordance with the proper concepts of orderly legislative procedure in this body.

Mr. DONNELL. I thank the Senator.

Mr. LONG. The Senator from Missouri has been one of those most anxious to have that done, and certainly he has been one of those who have fought most strenuously to see that the precedents and the rules of the Senate and the Constitution of the United States are observed in this body—for which all of us so greatly admire him.

Mr. DONNELL. Mr. President, let me state, if I may have unanimous consent to do so, that I greatly appreciate the very complimentary words of the Senator from Louisiana; and I am sure of his sincerity in saying them, and I thank him for so doing.

Mr. LONG. I assure the Senator from Missouri that I am entirely sincere in making those statements.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. LONG. I yield for a question.

Mr. HUMPHREY. I wonder whether the Senator from Louisiana has checked the records of the Committee on Labor and Public Welfare to see whether either the Senator from Missouri or the Senator from Montana sought and beseeched the committee to hold hearings on the Federal aid to education bill, the National Science Foundation bill, or the school health services bill, and whether the Senator noted that those bills were reported from the committee without a minute of hearings?

Mr. LONG. Mr. President, I was not cognizant of the fact that those bills were reported by the committee without hearings, and certainly I would feel that anyone opposing any of that legislation should have the right to be heard before the committee, and to present arguments, to petition Congress through our congressional committees, and to express their views on this matter. I regret it if there was anyone who desired to be heard before the committee, which the Committee on Labor and Public Welfare did not hear, and I can only assume that if the committee did not hear them, it must have been because there was no interest on the part of the opponents of this legislation manifested by a request to be heard.

(At this point Mr. Long yielded to Mr. HUMPHREY, who obtained unanimous consent to have an insertion made in the Record following his remarks on the motion to take up the consideration of the bill S. 1728, to prohibit discrimination in employment because of race, religion, or national origin.)

Mr. LONG. As a junior Senator, serving my first days in this great body, I was greatly impressed by the arguments of

the distinguished senior Senator from Ohio [Mr. TAFT] and of the brilliant and eloquent junior Senator from Oregon [Mr. MORSE], as well as the highly principled senior Senator from Missouri [Mr. DONNELL], who certainly has no peer in either House of this Congress when it comes to insisting that the rights and privileges of the American citizens and the orderly processes in American government be carefully and painstakingly preserved.

And so it resulted that there were committee hearings held, and I was under the impression that they were very lengthy committee hearings, although they were compressed into the short period of 1 or 2 months, because at that time the committee would meet, if possible, 10 hours at a time and conduct the hearings, in order to develop the experiences under the Taft-Hartley bill and to develop the good points and the bad points, and to explore them. Notwithstanding the haste of the Truman administration to repeal this law, the committee went into the matter thoroughly. When it came before the United States Senate for consideration there were then on my desk five volumes of printed hearings, representing in full and complete fashion the views and conclusions of both industry and labor on all phases of that most important legislation.

Many people who may not be satisfied with the decision of the United States Senate can at least take some solace in the fact that they were accorded the right to be heard by the Senate committee, and certainly those of us who in some respects may have been dissatisfied with the decision of the Senate at that time, are at least gratified to know that an opportunity was given for all interested parties to be heard before the Senate committee, and I feel that even those who bitterly opposed the Taft-Hartley bill, and who are still bitterly opposed to its continuance on the statute books, can at least feel that they were given an opportunity to express their views through the proper committee, the servant of this Congress.

Again, Mr. President, it is my impression that the Eightieth Congress also gave both labor and management the most full and fair opportunity to be heard and to express their views at the time that legislation was originally passed.

Today we have a situation where millions of American people are to be subject to harassment, to prosecution, to investigation, and to every other odious deprivation of their rights as American citizens through FEPC legislation. Here the effort is being made to force this radical legislation through—

Mr. DONNELL. Mr. President, will the Senator yield for a further inquiry?

The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senator from Missouri for a question?

Mr. LONG. I yield for a question.

Mr. DONNELL. Will the Senator permit me to suggest that, on reflection, I think he is correct as to the holding of the hearings? I think my memory was somewhat obscured by the distinct and clear recollection of what transpired in the matter of the amendments. But I

think—and I ask the Senator, if I may at this time assure him—that in my judgment he is correct, that the hearings were held on the Taft-Hartley amendments of last year.

Mr. LONG. I very much appreciate the remarks of the Senator from Missouri at this point, and I am gratified to know that the hearings were held, that those who proposed amendments to the Taft-Hartley bill had an opportunity to have those amendments considered by the committee. Certainly they should have been considered by the committee. I should like to state at this point, also, that I am surprised to hear the distinguished junior Senator from Minnesota state to this body that there were several very important pieces of legislation which were reported by that committee without hearings, because it is my feeling that even though there may not have been a great number of people opposing any particular piece of legislation, if it is important to the entire Nation, there should be hearings conducted, and I know of no other committee which has reported first one vital piece of legislation and next another, with the sole exception of this one committee, without at least according to those interested the right to be heard by the committee.

Mr. MAYBANK. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senator from South Carolina?

Mr. LONG. I yield for a question.

Mr. MAYBANK. I merely wanted to suggest that, since the distinguished Senator from Louisiana is making such an able address, I was wondering how long the Senator might continue the address, because I certainly want to remain here to hear every word he has to say.

Mr. LONG. I believe this speech will take about another 50 minutes.

Mr. SPARKMAN. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senator from Alabama for a question?

Mr. LONG. I yield for a question.

Mr. SPARKMAN. I wonder whether it would please the Senator to suspend at this point, provided we could obtain unanimous consent for him to resume when the Senate convenes tomorrow. Personally, I should like to see many more Senators on the floor listening to the very excellent speech which the able Senator from Louisiana is making.

Mr. LONG. I believe that it would be better if the Senator from Louisiana proceeded with his speech at this time. I should like to make this speech, and certainly hope that Senators who cannot be here will have the opportunity of reading it in the RECORD. I very much appreciate the remarks of the very able junior Senator from Alabama.

The PRESIDING OFFICER. The Senator from Louisiana is recognized.

Mr. LONG. Mr. President, here we have the effort being made to force this radical legislation through, to short-circuit committee hearings and merely throw such a bill on the floor of the United States Senate without even permitting those who would suffer so great-

ly by the enforcement of its terms to be heard before the Senate committee.

Whoever thought that we would see the day when American citizens would be deprived of their right to trial by jury, basic and fundamental as it is to the freedom of American citizens? Whoever thought that they would be deprived of such a right by irregular, unprecedented, and unusual methods without even the right to be heard before the committee considering such legislation?

Can it be that the Senate of the United States could permit such vicious injustice? Whoever thought, Mr. President, that American citizens would be deprived of their right against self-incrimination by such ill-considered legislation? And whoever dreamed that the United States Senate would consider such vicious, socialistic legislation without holding committee hearings to permit those aggrieved by this communistic enactment at least to be heard and to petition their Representatives and Senators of the United States against such injustice? But here we see, Mr. President, that such a thing is being done; at least, that such an attempt is being made. Here we see before the United States Senate a motion to proceed to the consideration of one of the most despised pieces of legislation ever proposed in the American Congress. Even before committee hearings have been held, here we have the motion to proceed to consideration of this most controversial legislation only a day or so after this make-shift committee report was placed on the calendar of the United States Senate. I say this bill should be recommitted, Mr. President; this bill should be sent back to the Committee on Labor and Public Welfare to conduct hearings.

When I say that, I assure the distinguished majority leader, as well as the distinguished minority leader—I regret that they are not present—and all other Members of this body, that, if this legislation is sent back for further hearings, it will greatly expedite the business of the United States Senate. In the long run, it will save the time of the Senate even on this legislation because, certainly, the failure of the Senate's committee to conduct hearings and permit the American people to be heard on this legislation will make necessary long and unnecessary debate to develop and explore matters which might have been disposed of by the Senate committee.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. LONG. I yield.

Mr. MAYBANK. I want to ask the Senator a question as to the hearings. When were they held?

Mr. LONG. The hearings were held in July 1947, almost 3 years ago. Certainly there has been much experience with this type of legislation and much information that could be added to the RECORD if the committee had made an effort further to explore the subject. The majority of the members of the subcommittee to whom the bill was referred are new Members of the Senate. I think they may be advised as to how such legislation affects their States, but they could not know how it would affect other States.

Mr. MAYBANK. Mr. President, will the Senator yield further?

Mr. LONG. I yield.

Mr. MAYBANK. Is the distinguished Senator from Louisiana a member of the committee?

Mr. LONG. No.

Mr. MAYBANK. Is it not a fact that his colleague was a member of the committee?

Mr. LONG. That is correct. At that time my colleague, the distinguished senior Senator from Louisiana [Mr. ELLENDER] was a member of that committee and, I believe, conducted some of the hearings. At the present time he is not a member of it. Some junior Senators, who have come to the Senate since that time, have been placed on that committee.

Mr. MAYBANK. I thank the Senator. Mr. LONG. So I again suggest to the majority leader that at this time his motion for consideration of this legislation should be withdrawn, but, in view of the determination of the majority and minority leaders, as well as the apparent majority of this Senate to proceed to the consideration of this legislation at this time, I feel that it would be necessary to discuss the imperfections and hardships that would be imposed upon our people by this legislation in the hope that I may convince Senators that this legislation should not be considered at this time.

Mr. President, I must also express my surprise and disappointment at the fact that two great political parties have planks in their platforms promising the enactment of FEPC legislation—

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. LONG. I yield.

Mr. MAYBANK. Is it not a fact that, according to Mr. Arthur Krock, a distinguished writer for the New York Times, the Communist Party had such a plank in its platform in the 1920's?

Mr. LONG. As far back as 1928, I have not read that particular article, but it is my understanding that the Communist Party favored this kind of legislation as far back as 1928, which was before the major parties picked it up.

Mr. President, I know, as well as do many other Senators, that the bill cannot be enacted at this time, and it should not be considered at this time. It should not be considered without further hearings having been held with reference to it. We shall waste an enormous amount of time in the long run, and we cannot possibly, on the floor of the Senate, work out any proper solution to the problem, with the result that other people of the Nation who should have consideration by the Congress will be deprived of the consideration to which they are entitled.

In 1948 our two great parties met and pledged every segment of American life that something was going to be done in some form or fashion which would affect all the people. For one thing they were going to be the friends of the farmers. Well, what are we doing for the farmers of the Nation?

Mr. President, I have a newspaper clipping which informs me that the Commodity Credit Corporation is running short of funds. It appeared in the



Washington Post of Sunday, May 7, headed as follows:

Nineteen hundred and fifty-one programs delayed by lag in CCC money. Crop support plans held up by \$2,000,000,000 bill on Senate snag.

The story, which appeared on page 1, reads as follows:

The Commodity Credit Corporation is running out of funds with which to continue the Government farm-price support program.

For several months the Senate has been dragging its feet on a measure to grant CCC an additional \$2,000,000,000 to carry on the program next year. CCC has enough left from the original \$4,750,000,000 to continue for the remainder of this crop year, which ends June 30.

One result of the Senate's delay in voting more funds has been to hold up announcement of next year's programs, even those for the so-called basic commodities for which price supports are "mandatory." Price-support officials are wondering what would happen to the mandatory supports if CCC ran out of funds.

Normally the programs for such crops as wheat, oats, rye, barley, grain sorghums, soybeans, and hogs would have been announced by now. It has been a sort of unwritten law that the farmers be told before planting time what they can expect in Government supports when the crop is harvested. But CCC hasn't dared to do that this year.

There it is, Mr. President. The farmer today in many parts of the country can make no plans. He has no idea what the new program will be or if there will be any program at all. His Government should keep faith with him. It is the least that should be expected. He feeds and clothes us, in good times and bad. He prospers and fails as the rest of us prosper and fail. He is the very cornerstone of our American economy. I say without fear of contradiction that there is no segment of our population which works harder and thinks with more clarity than does the American farmer. Do not ever for a minute think that he is being fooled by what goes on here. He knows, and Senators can be certain that he will remember.

Some Senators who propose this legislation shed crocodile tears in behalf of our aged. They cry for more liberal old-age pensions. They declare themselves for a broadened social-security law. They preach for aid to the disabled. Every fiber within them, they say, is straining for legislation to do these things. What are they doing about it? Why, they are blocking the very legislation they claim to hold near and dear to their hearts. They make it impossible for the Senate to consider it. They are willing to run a very real risk that this Congress will come to an end without having accomplished one single, solitary thing to help these deserving and helpless people.

The House, last session, passed a social-security bill, House bill 6000. Early in this session, the Senate Finance Committee began its hearings and they continued for many weeks. Then followed several weeks of markup sessions and now the committee is ready with its proposals on this legislation. It is obvious that the bill will require much debate in the Senate before final action can be

taken. Some Senators already have stated publicly that they expect to fight certain features of the bill. In any event, regardless of its final form, it is legislation that is desperately needed. It is long overdue. Our duty to our people demands that we do something and do it quickly. But, no, Mr. President, we must talk about FEPC. We must impose a Communist-inspired thought-police system on part of our population while our unfortunate needy people will go without. Is that keeping the faith?

Last week, the President sent a message to Congress pointing up very effectively the need for legislation to strengthen small business and assure its continued vigor. There are those who have voiced their disagreement of the remedies suggested by the President, but insofar as I know, there is no disagreement about the need for some sort of action aimed at assisting small-business enterprise. True, it is too soon after receipt of the message for us to expect implementing legislation to be on the Senate Calendar, but that is unimportant for it is plain that the legislative log-jam which will develop if this motion prevails, will make it impossible for any such legislation to be acted on by this Congress.

Is all this stir in behalf of small business just a vote catcher, too? Did the Senate create a Small Business Committee recently as just a demonstration of devotion to the cause of small business?

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. LONG. I yield for a question.

Mr. MAYBANK. The able Senator from Louisiana is making a very able address, and in speaking of bills on the calendar he has had referred to the Small Business Committee. The Senator is aware of the fact that we have several bills on the calendar concerning small business, which are before the committee of which he is a member, the Banking and Currency Committee. I hope that the Senator will enlarge upon his observations when we convene tomorrow, because I notice that the Senator has mentioned only a few of the bills. I know it would take a long time to refer to others. I am suggesting that the Senator may desire to continue with his address in the morning, when more members of our committee may be present. I make that suggestion to the Senator from Louisiana.

Mr. LONG. Mr. President, I ask unanimous consent that I may continue with my address tomorrow as part of my first address on the pending motion, reserving my right to a second address on the motion to consider the important legislation to which it is directed.

The PRESIDING OFFICER. Will the Senator restate his request?

Mr. LONG. I ask unanimous consent that I may have the floor when the Senate meets tomorrow morning in order to continue with my address, without its counting as a second address on the pending motion.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

# RECESS

Mr. MAYBANK. Mr. President, I move that the Senate stand in recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 7 o'clock and 2 minutes p. m.) the Senate took a recess until tomorrow, Thursday, May 18, 1950, at 12 o'clock meridian.

# CONFIRMATIONS

Executive nominations confirmed by the Senate May 17 (legislative day of March 29), 1950:

## UNITED STATES ADVISORY COMMISSION ON EDUCATIONAL EXCHANGE

Members of the United States Advisory Commission on Educational Exchange for terms expiring January 27, 1953, and until their successors have been appointed and qualified:

Harold W. Dodds  
Edwin B. Fred

## UNITED NATIONS EDUCATIONAL, SCIENTIFIC, AND CULTURAL ORGANIZATION

The following-named persons to be representatives of the United States of America to the fifth session of the General Conference of the United Nations Educational, Scientific, and Cultural Organization:

Howland H. Sargeant Isidor I. Rabi  
George D. Stoddard George F. Zook  
Miss Bernice Baxter

## ECONOMIC COMMISSION FOR ASIA AND THE FAR EAST

Edwin F. Stanton, now Ambassador Extraordinary and Plenipotentiary to Thailand, to serve concurrently and without additional compensation as the representative of the United States of America on the Economic Commission for Asia and the Far East established by the Economic and Social Council of the United Nations March 28, 1947.

## DIPLOMATIC AND FOREIGN SERVICE

Stanley Woodward to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Canada.

John G. Erhardt to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Union of South Africa.

To be consul general of the United States of America

James E. Brown, Jr.

To be consuls of the United States of America

Henry L. Pitts, Jr. Franklin H. Murrell  
John A. Lehrs J. A. Tuck Sherman

To be consul general of the United States of America

Thomas H. Lockett

To be consuls of the United States of America

Carl Breuer Frederick L. Jochem  
Kenneth C. Beede George H. Reese  
Charles C. Sundell

To be vice consuls of the United States of America

Mrs. Frances H. Baker Mrs. Margaret M. Parkin  
Phillip I. La Sage

To be secretary in the diplomatic service of the United States of America

Lloyd A. Free

To be consuls general of the United States of America

George D. LaMont Patrick Mallon  
Donald W. Smith Evan M. Wilson  
Richard M. de Lambert

*To be consuls of the United States of America*

Bruce R. Crooks George H. Zentz  
John G. Hrones

*To be vice consuls of the United States of America*

Miss Jane Ellis  
Gordon P. Hagberg

*To be secretary in the diplomatic service of the United States of America*

Lewis Rex Miller

PROMOTIONS

*To be Foreign Service officers of class 1*

Walworth Barbour Livingston T. Merchant  
Jacob D. Beam James S. Moose, Jr.  
James C. H. Bonbright James K. Penfield  
Philip W. Bonsal William J. Sebald  
Homer M. Byington, Jr. Ben H. Thibodeaux  
Robert D. Coe Llewellyn E. Thompson, Jr.  
Everett F. Drumright Angus Ward  
Elbridge Durbrow George H. Winters  
Wilson C. Flake Robert F. Woodward  
John Wesley Jones  
Foy D. Kohler

*To be Foreign Service officers of class 2*

Stephen E. Aguirre Douglas MacArthur 2d  
Sidney A. Belovsky Robert Mills McClintock  
Samuel D. Berger Walter P. McConaughy  
Max Waldo Bishop Walter P. McConaughy  
Richard W. Byrd Elbert G. Mathews  
Archie W. Childs Gerald A. Mokma  
Howard Rex Cottam Sidney E. O'Donoghue  
John K. Emmerson J. Graham Parsons  
Francis A. Flood Hector C. Prud'homme  
William A. Fowler G. Frederick Reinhardt  
Laurence C. Frank Livingston Satterthwaite  
Carlos C. Hall Henry E. Stebbins  
Thomas A. Hickok Edward G. Trueblood  
Heyward G. Hill Harry R. Turkel  
Outerbridge Horsey Ivan B. White  
John D. Jernegan Charles W. Yost  
Robert P. Joyce  
C. Porter Kuykendall 2d

*To be Foreign Service officers of class 3*

R. Austin Acly Ridgway B. Knight  
W. Stratton Anderson, Jr. M. Gordon Knox  
Eric Kocher  
Waldo E. Bailey William L. Krieg  
William Belton Nathaniel Lancaster, Jr.  
M. Williams Blake Harold E. Montamat  
Clarence Boonstra Horatio Mooers  
William O. Boswell Bolard More  
Leonard J. Cromie Walter W. Orebough  
H. Francis Cunningham, Jr. Joseph Palmer 2d  
Frederic C. Fornes, Jr. Harold D. Robison  
Fulton Freeman Stuart W. Rockwell  
Edward L. Freers John C. Shillock, Jr.  
Daniel Gaudin, Jr. Francis L. Spalding  
Forrest K. Geerken Robert C. Strong  
William M. Gibson Jay Walker  
John Goodyear William W. Walker  
John P. Hoover Alfred T. Wellborn  
Paul C. Hutton Philip P. Williams  
Douglas Jenkins, Jr. Randall S. Williams, Jr.  
Richard A. Johnson Robert E. Wilson  
Nat B. King

*To be Foreign Service officers of class 4*

William H. Christensen Henry A. Hoyt  
Donald A. Dumont Merlin E. Smith  
C. H. Walter Howe Charles D. Withers

*To be Foreign Service officers of class 4 and consul of the United States of America*

David M. Bane John E. Devine  
Harry H. Bell Enoch S. Duncan  
Mrs. Katherine W. A. David Fritzman  
Bracken Michael R. Gannett  
Herbert D. Brewster Paul P. Geren  
James M. Byrne James R. Gustin  
Kenneth A. Byrns Douglas Henderson  
Edward W. Clark David H. Henry 2d  
William N. Dale Charles E. Hulick, Jr.  
Rodger P. Davies Ben D. Kimpel  
Richard C. Desmond Spencer M. King

William E. Knight 2d David G. Nes  
G. Wallace LaRue R. Kenneth Oakley  
William Leonhart Douglas W. Overton  
Rupert A. Lloyd Richard I. Phillips  
LaRue R. Lutkins Henry Clinton Reed  
William A. McFadden Frederick D. Sharp 3d  
William L. Magistretti Albert W. Sherer, Jr.  
James V. Martin, Jr. Garrett H. Soulen  
Francis E. Meloy, Jr. Emory C. Swank  
Armin H. Meyer Joseph J. Wagner  
Warren S. Moore, Jr. Harvey R. Wellman

*To be Foreign Service officers of class 5*

Hugh G. Appling Bruce M. Lancaster  
John A. Armitage Donald S. Macdonald  
Douglass K. Ballentine David S. McMorris  
William J. Barnsdale Charles P. McVicker, Jr.  
Archer K. Blood Robert J. Mautner  
Robert C. Bone, Jr. James A. May  
John A. Bovey, Jr. Everett K. Melby  
William H. Bruns Miss Susannah Mirick  
Edward West Burgess Edward W. Mulcahy  
Gardner C. Carpenter Joseph W. Neubert  
Stanley S. Carpenter David D. Newsom  
Philip H. Chadbourn, Jr. William F. Penniman, Jr.  
Robert A. Christopher Sandy MacGregor  
William B. Cobb, Jr. Pringle  
Ralph S. Collins Herbert F. Propps  
John C. Craig Ellwood M. Rabenold, Jr.  
Oliver S. Crosby Thomas M. Recknagel  
Richard T. Davies Lowell G. Richardson  
Leon G. Dorros Jordan T. Rogers  
Robert B. Dreessen John W. Rozier  
William R. Duggan Peter Rutter  
Lawrence B. Elsbernd Sidney Sober  
Baird E. Emmons Ernest L. Stanger  
David H. Ernst William Perry Stedman, Jr.  
Thomas R. Favell Richard W. Sterling  
E. Bruce Ferguson Robert A. Stevenson  
E. Allen Fidel William N. Stokes  
Seymour M. Finger Galen L. Stone  
Richard B. Finn Kenneth P. T. Sullivan  
James W. Gould Kingdon W. Swayne  
Phillip J. Halla Charles R. Tanguy  
Norman B. Hannah Nicholas G. Thacher  
Edwin M. Harbordt Malcolm Toon  
John Calvin Hill, Jr. Charles M. Urruela  
Peter Hooper, Jr. Raymond A. Valliere  
Rogers B. Horgan Hendrik van Oss  
Robert B. Houghton Wayland B. Waters  
John M. Howison Robert W. Weise, Jr.  
Richard M. Hughes Richard R. Wilford  
John D. Iams Robert M. Winfree  
Robert L. James Stephen Winship  
Miss Dorothy M. Jes- Parker D. Wyman  
ter Joseph O. Zurhellen, Jr.  
Alexander C. Johnpoll  
John Keppel  
David Klein  
Max V. Krebs

APPOINTMENTS

*To be Foreign Service officers of class 6, vice consuls of career, and secretaries in the diplomatic service of the United States of America*

Norman Armour, Jr. Pierre R. Graham  
Miss Dorothy M. Pierson M. Hall  
Barker Miss Martha C. Hal-  
Robert J. Barnard leran  
Carl E. Barch William N. Harben  
Frederic H. Behr Harry W. Heikenen  
Emerson M. Brown Harold L. Henrikson  
Douglas V. Bryan Henry L. Heymann  
Charles T. Butler, Jr. Thomas F. Hoctor  
William A. Chapin Miss Priscilla Hol-  
George T. Churchill combe  
James D. Crane Borrie I. Hyman  
Robert W. Dean William M. Johnson, Jr.  
Gordon L. Deegan  
Adolph Dubs John M. Kane  
Warrick E. Elrod, Jr. Bayard King  
Michael A. Falzone Clive E. Knowlson  
Richard T. Foote Francis X. Lambert  
Robert M. Forcey Donald E. Larimore  
Emmett B. Ford, Jr. Herbert B. Leggett  
Jack B. Gabbert Earl H. Lubocansky  
John I. Getz Robert A. McKinnon  
Culver Gleystein John A. McVickar  
Gerald Goldstein Dayton S. Mak  
John D. Gough Doyle V. Martin

Kenneth W. Martin-Richard R. Selby, Jr.  
dale John P. Shaw  
Sam Moskowitz Jack M. Smith, Jr.  
Clifford R. Nelson Matthew D. Smith, Jr.  
Daniel O. Newberry Ralph S. Smith  
Howard F. Newsom Moncrieff J. Spear  
Robert L. Ouverson Daniel Sprecher  
Charles H. Pletcher Myles Standish 3d  
Lawrence P. Ralston Thomas C. Stave  
Joseph H. Raymond, Jr. Lee T. Stull  
Harold C. Swope  
Marion J. Rice Adelphos H. TePaske  
Lloyd M. Rives Malcolm Thompson  
Lucian L. Locke, Jr. David R. Thomson  
William F. Ryan Arthur T. Tienken  
Frederick H. Sack-John T. Wheelock  
steder, Jr. J. Robert Wilson  
Stanley D. Schiff Park F. Wollam  
Edwin E. Segall Douglas J. Worcester

## HOUSE OF REPRESENTATIVES

WEDNESDAY, MAY 17, 1950

The House met at 12 o'clock noon.  
The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Infinite and eternal God, who art the light of all that is true and the inspiration of all that is good, we thank Thee for the joys which cheer us and the trials which teach us to put our trust in Thee.

May the words of our mouth, the meditations of our heart, and the work of our hands be acceptable in Thy sight, O Lord, our strength and our Redeemer. Amen.

The reading of the Journal of the proceedings of Tuesday, May 16, 1950, was dispensed with, and the Journal was approved.

### GENERAL LEAVE TO EXTEND

The SPEAKER. Without objection, all Members may have leave for 2 legislative days to extend their remarks in the RECORD on the lives, character, and public service of the deceased Members. There was no objection.

### RECESS

The SPEAKER. Pursuant to House Resolution 521, the Chair declares the House to be in recess for the purpose of holding memorial services as arranged by the Committee on Memorials.

Accordingly the House stood in recess to meet at the call of the Speaker.

### MEMORIAL SERVICE PROGRAM, MAY 17, 1950

Prelude, sacred selections (11:30 to 12)....  
United States Air Force Symphony Orchestra  
Presiding officer.....The Speaker  
Invocation.....Hon. SAM RAYBURN  
Rev. Bernard Braskamp, D. D.

A cappella Emmette Spiritum (Schuetky),  
Lord's Prayer (Malott).....

USAF Band Glee Club  
Scripture reading and prayer.....The Chaplain  
Roll of deceased Members.....

The Clerk of the House of Representatives  
Devotional silence.

Address.....Hon. BROOKS HAYS  
Representative from the State of Arkansas  
Solo: Bless This House (Brahe), Recessional  
(De Koven).....

Master Sgt. Glenn Darwin, USAF  
Address.....Hon. JOHN DAVIS LODGE  
Representative from the State of Connecticut  
Taps.....Master Sgt. Arthur Will  
Echo.....Staff Sgt. Carl Costenbader  
Benediction.....The Chaplain



The Members of the House rose and stood while the relatives of the deceased Members were escorted to seats in the House Chamber by the Committee on Memorials, preceded by the Doorkeeper of the House of Representatives.

#### MEMORIAL SERVICES

The SPEAKER presided.

#### INVOCATION

The CHAPLAIN. Almighty God, in the life of each of us there are times when all our feelings seem to impose silence.

Grant that in this hour of sacred memory we may enter into a blessed communion with Thy Spirit, and the spirit of all upon whom Thou hast bestowed the glorious benediction, "Well done, thou good and faithful servant, enter thou into the joy of thy Lord."

Hear us for the sake of the Christ, our Saviour. Amen.

#### CHORAL SELECTION

The United States Air Force Band Glee Club sang a cappella *Emmette Spiritum* (Schuetky) and *Lord's Prayer* (Malott).

#### SCRIPTURE READING AND PRAYER

The CHAPLAIN. The Scripture readings are taken from the Old and New Testaments.

Psalm 85:

*I will hear what God the Lord will say, for He will speak peace unto His people and to His saints.*

Psalm 90:

*Lord, Thou hast been our dwelling place in all generations.*

*Before the mountains were brought forth, or ever Thou hadst formed the earth and the world, even from everlasting to everlasting, Thou art God.*

*So teach us to number our days, that we may apply our hearts unto wisdom.*

Then from the New Testament these gracious words which were spoken by our blessed Lord:

John 14:

*Let not your heart be troubled; ye believe in God, believe also in me.*

*In my Father's house are many mansions; if it were not so, I would have told you. I go to prepare a place for you.*

*And if I go and prepare a place for you, I will come again and receive you unto Myself, that where I am there ye may be also.*

*Peace I leave with you, My peace I give unto you; not as the world giveth, give I unto you. Let not your heart be troubled, neither let it be afraid.*

In St. Paul's great chapter on the resurrection, the fifteenth of First Corinthians, we find these words:

*Now is Christ risen from the dead, and become the first fruits of them that slept.*

*For since by man came death, by man came also the resurrection of the dead.*

*For as in Adam all die, even so in Christ shall all be made alive.*

*Therefore, my beloved brethren, be ye steadfast, unmovable, always abounding in the work of the Lord, for as much as ye know that your labor is not in vain in the Lord.*

May God add His blessing to these readings from His holy word.

The closing verses from the poem entitled "Victory," by Alfred Noyes:

"There's but one gift that all our dead desire,

One gift that men can give, and that's a dream,

Unless we, too, can burn with that same fire

Of sacrifice; die to the things that seem;

"Die to the little hatreds; die to greed; Die to the old ignoble selves we knew;

Die to the base contempts of sect and creed,

And rise again, like these, with souls as true.

"Nay (since these died before their task was finished)

Attempt new heights, bring even their dreams to birth—

Build us that better world, Oh, not diminished

By one true splendor that they planned on earth.

"And that's not done by sword, or tongue, or pen,

There's but one way. God make us better men."

Let us pray.

Most merciful and gracious God, the God of our fathers and of their succeeding generations, through Thy holy word Thou hast spoken and in our hearts Thy voice is heard.

Thou art the author and disposer of human life, from whom our spirits have come and unto whom they return.

We thank Thee for Thy servants who walked and worked with us for a little while upon this earth and who now are with Thee in heavenly blessedness, having received, as the reward of their faith and their fidelity, the salvation of their souls.

We rejoice that whatever was noble and beautiful in their life, in Thy sight and in our sight, abides forever. We bless Thee for the glorious testimony that they sought to serve their generation according to Thy holy will and were numbered among those who do justly, who love mercy, and who walk humbly with the Lord. We have not said "farewell" but only "good night," hoping on some blessed morn. to meet and dwell with them in hallowed union in that land whose language is music and where joys are unceasing.

Grant unto the sorrowing and the lonely the consolation of Thy grace. May they yield themselves without murmur or complaint to the dispensations of Thy providence for Thou dost give and Thou dost take away, and blessed is Thy name forevermore. Help them to lay hold of the peace and the eternal companionship of the Christ.

We pray that Thou will continue to bless our Nation. We are not asking Thee to deal with us in any preferential manner. May we be a people whose God is the Lord.

May we be loyal partners with all who are laboring to build the kingdom of justice and righteousness, the social order in which there shall be peace and good will among men. Enable us to carry on in faith, in faithfulness, and in the fear of the Lord as we daily meet the prob-

lems and tasks which challenge the consecration of our noblest manhood and womanhood.

In Christ's name we pray. Amen.

#### ROLL OF DECEASED MEMBERS

Mr. Alney E. Chaffee, reading clerk of the House of Representatives, read the following roll:

BERT HENRY MILLER, a Senator from the State of Idaho: Born December 15, 1879, lawyer; graduate Brigham Young University 1901 and Cumberland University Law School; prosecuting attorney of Fremont County, Idaho, 1912-14; elected attorney general of Idaho 1934, reelected 1936; regional attorney, Fair Labor Standards Act, Seattle, Wash., region; elected justice of Idaho Supreme Court 1944; elected to the United States Senate 1948; died October 8, 1949.

CLYDE MARTIN REED, a Senator from the State of Kansas: Born October 19, 1871, teacher, mail clerk, editor and publisher; secretary to the Governor of Kansas in 1919; appointed member Kansas Court of Industrial Relations 1920; chairman of the Kansas Public Utilities Commission 1921-24; Governor of Kansas 1929-31; elected to the United States Senate 1938, reelected 1944; died November 8, 1949.

RICHARD JOSEPH WELCH, Fifth Congressional District of California: Born February 13, 1869; machinist; State senator 1901-13; harbor master, port of San Francisco, 1903-07; supervisor city and county of San Francisco, 1916-26; member of the Seventieth to the Eighty-first Congresses, inclusive (12 successive Congresses); died September 10, 1949.

GEORGE JOSEPH BATES, Sixth Congressional District of Massachusetts: Born February 25, 1891; member State house of representatives, 1918-1924; mayor of Salem, 1924-37; Member of the Seventy-fifth and six succeeding Congresses; died November 1, 1949.

MARTIN GORSKI, Fifth Congressional District of Illinois: Born October 30, 1886; lawyer; graduate Chicago Law School, 1917; assistant State's attorney, Cook County, 1918-20; master in chancery, superior court, Cook County, 1929-42; Member of the Seventy-eighth to the Eighty-first Congresses, inclusive; died December 4, 1949.

SCHUYLER OTIS BLAND, First Congressional District of Virginia: Born May 4, 1872; teacher; lawyer; attended Gloucester Academy and William and Mary College; president of the Chamber of Commerce of Newport News, and vice president, Virginia State Bar Association; Member of the Sixty-fifth to the Eighty-first Congresses, inclusive (17 consecutive Congresses); died February 16, 1950.

RALPH EDWIN CHURCH, Thirteenth Congressional District of Illinois: Born May 5, 1883; lawyer; graduate University of Michigan, 1907, and Northwestern University, 1909; member State house of representatives, 1916-32; lieutenant commander, United States Naval Reserve, 1938-41; delegate, Interparliamentary Conference, Oslo, Norway, 1939; Member, Seventy-fourth to the Seventy-sixth and Seventy-eighth to the Eighty-first Congresses; died March 21, 1950.

Mrs. NORTON, a Representative from the State of New Jersey, standing in front of the Speaker's rostrum, placed a memorial rose in a vase as the name of each deceased Member was read by the Clerk.

#### DEVOTIONAL SILENCE

There followed a period of devotional silence, during which the Members stood.

The SPEAKER. The Chair recognizes the gentleman from Arkansas [Mr. Hays].

Hon. BROOKS HAYS, a Representative from the State of Arkansas, delivered the following address:

ADDRESS BY HON. BROOKS HAYS

Mr. HAYS of Arkansas. Mr. Speaker, this is one of the occasions when it is appropriate to speak of the unity the House of Representatives cherishes. We wish to accentuate our common creed, to contemplate the common experience of death and our common faith which triumphs over it.

The story of a man's life is never told in the offices he holds, or the honors he receives. It is inadequately related in the things he does. It is only as we come in close contact with our fellow men and by the kind of intimate associations treasured here, learn to know what a man believes, that we really come to understand and appreciate him. By these associations we learned something of the loyalties and convictions of our departed colleagues and today we make a record of our appraisal of their indefinable qualities of soul which found expression here. Now we assume the rather difficult role of honoring them, difficult because we touch a very tender theme and a delicate one, but it is altogether proper for us to rejoice in honoring them.

I think one would have to endure some of the hard tests of service here to understand the depth of our affection and admiration for them. If one sees only the surface, he might mistake our disputes for distrust. One would have to know something of these experiences that exhibit a sharp clash of opinion to understand that underneath are abiding friendships and mutual confidence.

It was not my privilege to know either of the Senators, either Senator REED or Senator MILLER, but as I read the eulogies that were paid to them I could understand something of the sense of grief that pervaded the ranks of the Senate when they passed on.

I read of Senator REED of Kansas, for example, that he was "a great legislator, a great pioneer, a great American." And then there was an interesting line, "the most colorful warrior that his State had produced in the battles of his day."

I read of Senator MILLER, of Idaho, that "his life was a shining example of unselfish service to his fellow man," and that "he was a noble person."

I was in the Chamber of the House on most of the occasions when the passing of our five Members was announced. Their closest friends stood and rendered honest tribute. I have reflected upon those things that were said of them. I am impressed by the characterizations that were used with reference to all of them. That is, that each of them was "fearless, honest, able, persevering, conscientious, generous, strong, and kind."

Then there are the special observations about each life and career. Some of the finest eulogies put into the RECORD are from those who had not been associated with them here, but were evidently based upon a close study of their public service. There was that interesting comment of Archbishop Cushing, of Boston, for example, upon the life of GEORGE J. BATES, of Massachusetts, "More men knew the merits of the man than knew the man

himself." Since each of the Members represented close to a third of a million people and were known outside their districts in many areas for distinguished public service, it might well have been said of them all.

It was said of GEORGE BATES in addition, "He was a man of expansive human sympathy; completely devoted to the public welfare; truly a great American."

Of RICHARD J. WELCH, of California—and these were the words of the majority leader, Mr. MCCORMACK, who sat on the opposite side of the aisle, that "he was an ideal gentleman, a perfect legislator."

Of MARTIN GORSKI of Illinois that he was "a man of high principles, an unassuming friend, an effective public servant."

Of SCHUYLER OTIS BLAND, of Virginia, that he was "modest, scholarly, and tolerant," and the words of the Speaker of the House, Mr. RAYBURN, "he was one of the greatest souls that it has ever been my privilege to know."

Of my friend RALPH CHURCH: "Earnest, sincere; he built his career upon conviction"; and that in his service of community, State, and Nation, "he conformed to the standards of a Christian."

These short biographies tell us a lot about the men of whom they were spoken. They relate to what each believed and what each did in consonance with that belief. These testimonies reflected the life of faith, and as Thomas Carlyle said, "A man's faith, or his lack of it, is the most considerable part of him."

So, Mr. Speaker, here we have exemplified the elements of faith. These men all believed in something, and it bears out the point that I think I made in the beginning, they had convictions. It is always difficult to speak of religion without being obtrusive or being misunderstood, yet I think the people of the Nation would like to know that their Representatives find time in which to do it appropriately, and they would certainly wish us to honor these men in their faith and religious ideals.

The total service of the seven was slightly in excess of a hundred years, their legislative achievements were enormous. As long as the Republic shall stand, perhaps, the impact of their minds will be felt in our legislative policy. Yet, Mr. Speaker, a man does not live in his craftsmanship. I do not disparage it, but a legislative monument is insecure and impermanent, for laws are changed, and the policies that we all help devise, so valuable at the hour, will be altered.

Neither can a man live in the sustained recognition of his family. As a parent and grandparent, I have that normal pride in my own family. I would like to think that 400 years from now my name will be perpetuated, but I am impressed by this thought, if four centuries later someone should bear my name, 2,047 other persons of the present generation—and this is an unalterable biologic principle—would have contributed as much to his heritage as I.

No, even though this is a noble impulse and worthy, a man cannot live by pride of family alone, any more than he can live in legislative glory.

Neither can a man live in the physical things that he helps to create. Every

one of us in our travels over the country is impressed with the fact that communities constantly seek to honor their Representatives in the Congress.

I was in Syracuse the other day, and I saw the very handsome memorial to our friend, CLARENCE HANCOCK. I think that is typical.

A man cannot live in the bridges and buildings or dams or airports or highways that he helps to build. RICHARD WELCH, for example, is identified with the Golden Gate Bridge. But considering the ephemeral nature of life itself, some day that great structure may be destroyed. Its superstructure may lie beneath the restless waters of the sea because a more ingenious people will replace it with something that better fits their times.

A man must live in something else. He may surely live in attachment to immortal principles. What I would like to say out of the depth of my great appreciation for these men is that by attaching themselves to things that are infinite and eternal they knew one phase of immortality. The older I grow the more convinced I am of the necessity for interpreting, for example, the ideal of justice. It is not abstract at all. It has reality for all men eventually in some human experience. This delicate and important instrument which the people commit to us their lawmakers is to be used with that sense of its serving an infinite force, an undying influence in life—the attainment of justice.

We are only partly right, though it represents a great American ideal, when we say that ours is a Government of laws and not of men. For that ideal itself would fail unless it be a government of laws, good laws, administered by righteous men. Something like this was perhaps in the mind of Cicero, when he said:

True law is right reason, consonant with nature, everlasting and unchanging. It does not differ for Rome or for Athens, but one law shall be for all times and all people. We cannot repeal that law; we cannot be relieved by any legislature of the obligations which it imposes, and we do not need to look outside ourselves for the true expounder of it.

Another pillar in the structure of faith is one's belief about man himself. When the prophet spoke of man as of "few days and full of trouble, like a flower he is cut down," he was speaking gloomily of death, which is only one aspect of life, and one has but to turn a few pages to come upon an equally authentic view, that of the psalmist who said, "What is man that Thou art mindful of him. Thou hast made him a little lower than the angels and hast crowned him with glory and honor," and then a thought that has thrilling implications for the philosophy of free government, "Thou madest him to have dominion." This high opinion of man's capacity for self-government is the basis of our institutions in the West. It finds expression in the Declaration of Independence whose author believed in the spiritual origin of our rights and liberties. Here are the moral bonds that unite us. "We hold these truths," said Jefferson—and "we" means all—not the Jeffersonians



but the Hamiltonians as well, not the Virginians but the New Englanders and all colonists as well. We, the people of a free land, have built upon the foundations of faith.

Here, Mr. Speaker, is an American doctrine worthy of perpetuation. It follows that if we think sound thoughts about man, viewing him as God's creation, we will think soundly about his human society. The good life is devoted to putting moral content into political institutions. It is the one thing that the forces of materialism cannot conquer. The blandishments of those who think only in terms of power will be unavailing against a good man. This was the thought of Ernest Hocking:

It is only a religious faith reaching the ultimate solitudes of the soul, for which our pleasing amiabilities are but husks, that can create the unpurchasable man, and it is only man, unpurchasable by any society, that can create the sound society.

For fullest consolation in the loss of these friends we reach out eagerly for the hope that is found in the writings of great men of the past. For what men think of death is also distinguishing. They have told us in ways that vary with the moods in which they wrote what they believed death to be like, and they have helped us. For whatever our fears, we, too, believe it is but an interlude, a temporary separation. We like to think of it as the gateway to a larger life. It is, as the poet said, "but the velvet footstep of the Father himself, His voice so low and His step so soft, that we cannot see or hear Him."

When death comes to a colleague and grief spreads through our ranks, we feel as Douglas Malloch did when his friend, Emerson Hough, passed away—

To all eternity he binds us.  
He links the planet and the star,  
He rides ahead, the trail he finds us,  
And where he is and where we are  
Will never seem again so far.

It is difficult, Mr. Speaker, to find something new to say. It is hardly worth the struggle. We can draw upon these great resources of the past, and without apology I offer them today. Even the great Robert Ingersoll, almost afraid to grasp the hope of a reunion with his loved ones and so intellectually honest that he never avowed a strong faith, voiced a beautiful aspiration when he said, "in the night of death, hope sees a star and listening love can hear the rustling of a wing."

I hope, therefore, Mr. Speaker, in the songs that are sung and the things that are said, and in the rich thought of mighty minds repeated we may renew our belief that God has planned a greater destiny for us.

The gentleman from Virginia [Mr. SMITH] said, when Judge BLAND went away, that he believed the arduous duties of the war had shortened his life. It is fair to say, without exalting ourselves nor stressing the importance of our position, that the hazards of legislative service are indeed great. I am sure of this—that since we live in one of the most difficult periods of human history, others dangers are ahead.

Therefore, in closing let me repeat the lines penned in the midst of his perils during the Second World War by a member of the Australian Air Force, Sergeant Hugh Brodie, who was killed in action shortly afterwards.

Almighty and All Present Power,  
Short is the prayer I make of Thee.  
I do not ask, in battle hour,  
For any shield to cover me.

The vast unalterable way,  
From which the stars do not depart,  
May not be turned aside to stay  
The bullet flying to my heart.

I ask no help to strike my foe,  
I seek no petty victory here.  
The enemy I hate, I know  
To Thee is also dear.

But this I ask; be at my side  
When death is drawing through the sky.  
Almighty God, who also died,  
Teach me the way that I should die.

We thank God for these good men. It is the finest epitaph that could be written and it has been said of each, "He was a good man."

Mr. Speaker, it was not in the buildings they erected nor their legislative achievements, but in their beliefs, their loyalties, their convictions, the hopes they raised, the fears they dispelled, and the sound beliefs which they strengthened, that they built their greatest monument.

SOLO

Master Sgt. Glenn Darwin, United States Air Force, sang Bless This House, by Brahe; and Recessional, by DeKoven.

The SPEAKER. The Chair recognizes the gentleman from Connecticut [Mr. LODGE].

Hon. JOHN DAVIS LODGE, a Representative from the State of Connecticut, delivered the following address:

ADDRESS BY HON. JOHN DAVIS LODGE

Mr. LODGE. Mr. Speaker, it is altogether fitting that we should pause amid the din and dust of our daily existence to pay our respects to those Members of Congress who have recently been gathered to their fathers. Since we assembled in this chamber on a similar occasion a year ago two Senators and five Representatives have crossed the bar. We are met to commemorate their passing. We are convened to mourn their absence from these halls. But our meeting here has, it seems to me, a significance beyond the natural sadness which we feel at the irremediable departure of these friends. For just as theirs were lives of service so must we on this occasion resolve to continue in that service with resourcefulness, with imagination, and with courage. Only in that way can we justify their peacetime sacrifice and the wartime sacrifice of so many others.

I call the roll:

Senator BERT HENRY MILLER, Idaho.  
Senator CLYDE MARTIN REED, Kansas.  
Representative RICHARD JOSEPH WELCH, California.

Representative GEORGE JOSEPH BATES, Massachusetts.

Representative MARTIN GORSKI, Illinois.

Representative SCHUYLER OTIS BLAND, Virginia.

Representative RALPH EDWIN CHURCH, Illinois.

These are the men whose lives and whose work we eulogize today. These colleagues of ours made an indelible imprint upon the legislative history of their time.

This moving occasion should, I am convinced, be one not merely of commemoration but also of rededication to the timeless truths for which they worked and struggled and died. Ours is the torch and we must carry on. Our constructive action is the noblest monument which we can erect in their memory.

Joined with us here today are the friends and relatives of the men who in recent months have made the great discovery. We stretch out our hands to them in friendly remembrance. We open our hearts to them with understanding and with compassion.

This is an occasion of dignity and tenderness in which the memory of these upright and devoted public servants lingers like a perfume on a summer breeze. It is a time for poignant recollection.

This memorial service is an apt tribute. It is most appropriately a permanent part of the report of the activities of the Congress. It testifies to the lasting place which they will occupy in the minds and hearts of those who loved them and knew them. It is a confession of our regard for their accomplishments and of our respect for their memory.

As we meet many of us can recall with nostalgic vividness the idiosyncrasies, the indefinable charms and gestures of each of these men. Their personalities return to us with touching clarity. We who serve in the Congress are bound together by a common experience irrespective of party. All of us have been through gruelling campaigns. We, their colleagues, know that in the Congress no one can dissemble for very long. A Member who gains influence and distinction does so because of his intrinsic worth. He does so by virtue of his character and ability. The vital opportunities for useful employment and effort which we regard as involving the essential welfare of the American people exist in these halls in terms of service to mankind. And while we have violent differences of opinion and sometimes harsh words are spoken there is a basic sense of fellowship which suffuses all our doings and which in times of common stress and strain unite us in friendship.

We grieve. But we do not grieve for these men who now are a part of the mysterious immensities which circumscribe our lives. We grieve because we shall miss them. We shall miss these friendly associations. We shall miss their vigorous participation in the work of the Congress.

Yet, this is no time to strain with desperate longing against the chasm which seems insuperably to separate us from them. We, too, are a fateful part of the events which have carried them beyond our pale. We cannot stem the rush of the resistless hours. The days of our years are numbered. Some day we shall

join them. We, the living, are a part of their infinity. Let us therefore not beat our breasts in helpless anguish but rather "leave our spirits bare to feel the truth they cannot understand."

We are living in urgent times, times in which men search their hearts and minds for at least a few answers to the great and grievous problems with which we are beset. These are, indeed, times which try men's souls. The first half of the twentieth century has been critical, difficult, full of change. Man is passing through a great Gethsemane of moral readjustments to the machines which he has created. Those to whom we pay tribute today have gone from this worldly tempest of doubt and indecision into the soothing calmness and serenity of that long lagoon to which there is no ending. They have served their fellow men. Their day on earth is done. They have been tried and not found wanting. They have gone to their just reward. They live in the enduring quality of their achievements and in the fond recollections of those who knew and loved them. We remain.

Peace, peace! he is not dead, he doth not sleep—

He hath awakened from the dream of life—  
'Tis we, who lost in stormy visions, keep  
With phantoms an unprofitable strife,  
And in mad trance, strike with our spirit's knife

Invulnerable nothings—we decay  
Like corpses in a charnel; fear and grief  
Convulse us and consume us day by day,  
And cold hopes swarm like worms within our living clay.

He hath outsoared the shadow of our night;  
Envy and calumny and hate and pain,  
And that unrest which men miscall delight,  
Can touch him not and torture not again;  
From the contagion of the world's slow stain  
He is secure.

In sober truth we are not secure save in our unassailable faith that liberty is an imperishable truth. Had Patrick Henry said "Give me security or give me death" we would not know his name today. Liberty. It is for this that we must persevere, that we must live our lives. It is for freedom that we must live and be prepared to die. We must reject the arid atheism with which sinister tyrants are attempting to undermine our institutions, to sabotage our freedom, to corrupt our youth, to dissipate our convictions and to deprive both life and death of their meaning. These godless doctrines point the way to dishonor and despair.

We who are destined to remain for a while in our earthly harness must take counsel of our faith rather than of our fears. In the words of Winston Churchill:

We must be prepared for further efforts of mind and body and further sacrifices to great causes if we are not to fall back into the confusion of aim, the rut of inertia, and the craven fear of being great.

Each of us must do his allotted task in an effort to meet successfully the grim and somber challenge which is crowding down upon us from every corner of the globe. Then when we shall be called to join our dear departed colleagues it shall be said of us, "Well done, thou good and faithful servant."

Life's diverse inception, birth and death, are beyond the comprehension of man. Just as nature abhors a vacuum, so man abhors the word death. Our hearts grow numb as we contemplate "the wide harmonic silences of death." There are no words because there is essentially no end. But there is faith. Faith in an indissoluble identity, faith in our own infinity. This meeting of commemoration and of rededication is also one of celebration. We meet to celebrate the soul. Those with whose spirits we commune today have met the dawn of an eternal sun. Our task here is to assure the soul's advance. Plato said "Time is the moving image of eternity." Eternity is now. The time of revelation is now. We are the trustees, the repositories of "all the innumerable yesterdays of time." We are the harbingers of "onward latent long millenniums." We can take heart from the sure knowledge that our opportunities for useful service, for dynamic leadership are equal to our grave responsibilities.

The challenge which faces us who have chosen public service as our mission is essentially the same challenge which has always faced the people's representatives. It is, in its basic elements, the challenge which faces the people of America. We bring that challenge into sharp focus. We must have vision for "where there is no vision the people perish."

This age-old challenge has been given a wonderful clarity and an exciting substance by the turbulent events of the last few decades. We know "deep down in that dumb region of the heart in which we dwell alone" that we cannot meet this challenge merely with procedural devices and man-made machinery. There must be the massive motive power of a moral force. Even the atom bomb will move to the measure of men's thoughts. We shall be hoist with our own delinquency if in this spiritual emergency we rely solely on our material prowess. The dialectical materialism of the brutal Communist dogma cannot be combated solely with plans and agreements, equipment and things. Our material world will crash in splinters around us unless it has some lofty thoughts to hold it up.

Let us then rededicate ourselves to the sublime truths on which our great Nation was founded and forsake the base and mutable alloy which tempts us to seek refuge in vulgar expediences, trivial pastimes, and ineffectual felicities. Let us be resolute and meet this onslaught of barbarism as our colleagues have met the challenge of the sunrise. Only in this way can we really escape "the tyranny of time, and brief content of all achievement and prosperity." Let us resolve "to illustrate in thought and word and deed, in life and death, the utmost that we are."

So shall this occasion serve to give us a true perspective of the battle in which we are inextricably engaged. So shall we get a clear and steady view of the one prize that is not counterfeit. So shall we transmit to our successors the soul's divine inheritance. So shall these solemn memorial exercises serve not only to punctuate with reverence and warm

regard the end of these precious lives but especially to ignite in the living a vibrant determination that this trembling hour shall be the touchstone for future accomplishments and progressions. So shall we at long last achieve a peace based on freedom, virtue, and reason.

Well may we know it lies before us still,  
Who are the Pilgrims, as it stretched for them  
Whose pilgrimage is done; the self-same road,

Hazardous, hard, unknown, which leads afar,  
Thro' lusts and lies, thro' laws and governments,

Thro' all substantial things and sensible forms.

And well for us if we may find it out,  
And walk thereon our spiritual way  
Forward to real achievements and progressions—

Pilgrims, as once they were, in high resolve  
Launched on the Pilgrimage that once was theirs.

#### TAPS

Master Sgt. Arthur Will sounded taps, the echo being sounded by Staff Sgt. Carl Costenbader.

#### BENEDICTION

The Chaplain pronounced the following benediction:

*The Lord bless you and keep you;  
the Lord make His face to shine upon you  
and be gracious unto you; the Lord lift upon you His countenance and give you peace.*

Amen.

The relatives of the deceased Members were escorted from the Chamber by the Committee on Memorials.

#### AFTER RECESS

At the conclusion of the recess, the Speaker called the House to order.

#### ADJOURNMENT

The SPEAKER. Pursuant to the provisions of House Resolution 521, as a further mark of respect to the memory of the deceased, the Chair declares the House adjourned until 11 o'clock a. m. tomorrow.

Thereupon (at 1 o'clock and 8 minutes p. m.), under its previous order, the House adjourned until tomorrow, Thursday, May 18, 1950, at 11 o'clock a. m.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DAWSON: Committee on Expenditures in the Executive Departments. S. 2969. An act to authorize relief of authorized certifying officers of terminated war agencies in liquidation by the Department of Commerce; without amendment (Rept. No. 2076). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON: Committee on Expenditures in the Executive Departments. S. 3226. An act to authorize relief of authorized certifying officers of terminated war agencies in liquidation by the Department of the Interior; without amendment (Rept. No. 2077). Referred to the Committee of the Whole House on the State of the Union.

Mr. GOSSETT: Committee on the Judiciary. H. R. 8137. A bill to confirm and establish the titles of the States to lands beneath navigable waters within State boundaries and to the natural resources



within such lands and waters, to provide for the use and control of said lands and resources, and to provide for the use, control, exploration, development, and conservation of certain resources of the Continental Shelf lying outside of State boundaries; without amendment (Rept. No. 2078). Referred to the Committee of the Whole House on the State of the Union.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BYRNE of New York: Committee on the Judiciary. S. 947. An act for the relief of the Baggett Transportation Co., Inc.; without amendment (Rept. No. 2062). Referred to the Committee of the Whole House.

Mr. BYRNE of New York: Committee on the Judiciary. S. 1423. An act for the relief of Alex Morningstar; without amendment (Rept. No. 2063). Referred to the Committee of the Whole House.

Mr. BYRNE of New York: Committee on the Judiciary. S. 1510. An act for the relief of James I. Bartley; without amendment (Rept. No. 2064). Referred to the Committee of the Whole House.

Mr. BYRNE of New York: Committee on the Judiciary. S. 1863. An act for the relief of Fremont Rider; without amendment (Rept. No. 2065). Referred to the Committee of the Whole House.

Mr. BYRNE of New York: Committee on the Judiciary. S. 2070. An act for the relief of the Clark Funeral Home; without amendment (Rept. No. 2066). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on the Judiciary. S. 2339. An act for the relief of the Davis Grocery Co., of Oneida, Tenn.; without amendment (Rept. No. 2067). Referred to the Committee of the Whole House.

Mr. BYRNE of New York: Committee on the Judiciary. S. 2385. An act for the relief of Edward C. Ritchie; without amendment (Rept. No. 2068). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H. R. 1022. A bill for the relief of Alvin Smith; with amendment (Rept. No. 2069). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on the Judiciary. H. R. 2808. A bill for the relief of Grace G. Walker; with amendment (Rept. No. 2070). Referred to the Committee of the Whole House.

Mr. KEATING: Committee on the Judiciary. H. R. 4528. A bill to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of Louis J. Marx; without amendment (Rept. No. 2071). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H. R. 5109. A bill for the relief of Thomas Clayton Smith; with amendment (Rept. No. 2072). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H. R. 5157. A bill for the relief of the legal guardian of Anthony Albanese, a minor; with amendment (Rept. No. 2073). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H. R. 6458. A bill for the relief of Maj. Roy E. Bevel; with amendment (Rept. No. 2074). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H. R. 7046. A bill for the relief of C. W. Jacobs; without amendment (Rept. No. 2075). Referred to the Committee of the Whole House.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BEALL:

H. R. 8534. A bill to authorize the acceptance of donations of land to supplement present parkway lands along the line of the Chesapeake & Ohio Canal between Great Falls and Cumberland, Md.; to the Committee on Public Lands.

By Mr. CAMP:

H. R. 8535. A bill relating to the redemption of stock to pay death taxes; to the Committee on Ways and Means.

By Mr. CROSSER:

H. R. 8536. A bill to promote the development of improved commercial transport aircraft by providing for the operation, testing, and modification thereof; to the Committee on Interstate and Foreign Commerce.

By Mr. HUBER (by request):

H. R. 8537. A bill to provide a permanent secondary market for home mortgages insured or guaranteed by the Veterans' Administration, and for other purposes; to the Committee on Banking and Currency.

By Mrs. DOUGLAS:

H. J. Res. 472. Joint resolution designating the period beginning July 25 and ending July 31 as National Inventors' Week; to the Committee on the Judiciary.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BATTLE:

H. R. 8538. A bill for the relief of the families of certain merchant seamen who lost their lives in an airplane crash; to the Committee on the Judiciary.

By Mr. BEALL:

H. R. 8539. A bill for the relief of Daniel B. Fogle; to the Committee on the Judiciary.

## SENATE

THURSDAY, MAY 18, 1950

(Legislative day of Wednesday, March 29, 1950)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Most gracious Lord, Thy mercy is over all Thy works, and new mercies, each returning day, hover around us while we pray. As, when curtains are lifted, through the smallest window streams the light of a vast and distant sun, so Thou, whose light fills all the universe, illuminate the rooms of our being which are darkened only because we shut Thee out. And not only for ourselves, but for our Nation, we pray: that it may not miss the true path, amid the world's confusion. In such a day, as stewards of the future, give us, O Lord, an undimmed faith, a firm hope, a fervent charity, and a will to labor valiantly for the things for which we pray. We ask it in the name that is above every name. Amen.

#### THE JOURNAL

On request of Mr. MAYBANK, and by unanimous consent, the reading of the

Journal of the proceedings of Wednesday, May 17, 1950, was dispensed with.

#### MESSAGES FROM THE PRESIDENT— APPROVAL OF JOINT RESOLUTION

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on May 17, 1950, the President had approved and signed the joint resolution (S. J. Res. 176) to suspend the application of certain Federal laws with respect to attorneys employed by the special Senate committee in connection with the investigation ordered by Senate Resolution 202, Eighty-first Congress.

#### MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives, by Mr. Swanson, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 469. An act for the relief of Cathryn A. Glesener;

S. 1145. An act for the relief of Persephone Poulos;

S. 2071. An act for the relief of Mrs. Alice Willmarth;

S. 2258. An act for the relief of Dr. Apostolos A. Kartsonis;

S. 2308. An act for the relief of William Alfred Bevan;

S. 2427. An act for the relief of Masae Marumoto;

S. 2431. An act for the relief of Sumiko Kato;

S. 2443. An act for the relief of Mrs. Georgette Ponsard;

S. 2479. An act for the relief of A. D. Strenger and his wife, Claire Strenger;

S. 2568. An act for the relief of Carmen E. Lyon; and

S. 3122. An act to authorize the Secretary of the Navy to convey to the Goodyear Aircraft Corp., Akron, Ohio, an easement for sewer purposes in, over, and across certain Government-owned lands situated in Maricopa County, Ariz.

#### LEAVE OF ABSENCE

On request of Mr. MAYBANK, and by unanimous consent, Mr. CHAVEZ was excused from attendance on the sessions of the Senate for an indefinite period.

On his own request, and by unanimous consent, Mr. LANGER was excused from attendance on the sessions of the Senate, following this evening, until Tuesday.

#### MEETING OF COMMITTEE DURING SENATE SESSION

On request of Mr. McCARRAN, and by unanimous consent, the subcommittee of the Committee on the Judiciary considering House bill 3111, to amend the Bankruptcy Act, was authorized to meet this afternoon during the session of the Senate.

#### CALL OF THE ROLL

Mr. MAYBANK. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

Mr. WHERRY. Mr. President, I rise to a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.